

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-21751 of 2021

DECIDED ON: 14th JULY, 2021

Shashikant

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Naveen Sharma, Advocate for petitioner.

Ms. Monika Jalota, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition is filed for grant of anticipatory bail in case of FIR No.110 dated 23.4.2021, under Sections 160, 307, 324, 148, 149 IPC, registered at Police Station Phillaur, District Jalandhar Rural.

The FIR was registered on the basis of a secret information that two groups were fighting with each other. The police acted upon the information. During investigation, statement of Lakhwinder Singh son of Gurmail was recorded. He stated that while returning back home after closing his shop, he saw two groups fighting with each other. They attacked his car with Darters and Swords, he ran away leaving the car. The car was damage and an amount of Rs.1,36,930/- and his phone were stolen.

Learned counsel for the petitioner submits that there was no complainant in this case. The case under Section 307 IPC is not made out as intent to kill is not proved. Further no statement of the injured have been

recorded. He further argues that no specific injury has been attributed to petitioner.

Learned State counsel submits that the petitioner's name specifically find mentioned in the FIR and also in the supplementary statement of Lakhwinder Singh. There was a group clash and sharp weapons like Datters and kirpan were freely used. She relies upon the pleading in the reply to submit that in the MLR conducted, three injuries have been declared grievous. The contention is that the recovery of the snatched amount, mobile and weapons used is to be made.

There was a secret information of fight taking place between the two groups. The people involved in the fight were duly identified and specifically named in the FIR. The medical was done of the injured and three injuries were declared grievous. There is recovery to be made of snatched amount, mobile phone as also of the weapon used. Present is a case where custodial interrogation is necessitated to bring the investigation to its logic conclusion. The contention of learned counsel for the petitioner that no injury has been attributed does not enhance the case of the petitioner. It is a case of group clash and it is only after thorough probe in the matter that the roles could be identified.

No ground is made out for grant of anticipatory bail.

Dismissed.

14th JULY, 2021

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>