

CRM-M No.24593 of 2021 (1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.24593 of 2021
DATE OF DECISION: 01.07.2021

Vijay Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

(Heard through Video-Conferencing)

CORAM:- HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Gunjeet Singh Brar, Advocate
for the petitioner.

MEENAKSHI I. MEHTA, J. (ORAL)

Apprehending his arrest in the criminal case registered at Police Station City Muktsar, District Sri Muktsar Sahib vide FIR No.0027 dated 14.02.2021 under Sections 323/324/364/148/149 of IPC and Section 25 of the Arms Act, the petitioner has moved this petition for seeking the relief of anticipatory bail.

Shorn and short of unnecessary details, the allegations as levelled in the subject FIR, are that the petitioner as well as his co-accused, who were armed with weapons like pistol/revolver, *Kappa* and baseball bat, caused injuries to complainant-injured-Manpreet Singh alias Mani and also to his friends named Jagmeet Singh alias Jagga and Garry who came to the spot to save him and also kidnapped them.

Ms. Samina Dhir, learned Deputy Advocate General, Punjab

has joined the proceedings in pursuance of the copy of this petition having been sent to the respondent-State in advance.

Power of attorney forwarded by Mr. Armaan Gagneja, Advocate on behalf of the complainant/injured, through the “*Whatsapp group for Video-Conferencing*” of this Court, has been placed on the record and Mr. Saurabh Singla, Advocate has joined the proceedings on his behalf.

I have heard learned counsel for the petitioner, learned State counsel as well as learned counsel for the complainant in this petition and have also perused the file thoroughly.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case due to the political rivalry and even the version, as set-forth in the formal FIR is highly improbable and has several discrepancies. Moreover, both the parties have already arrived at the compromise in the present matter and even otherwise, the co-accused of the petitioner named Harpreet Singh alias Happy and Rajan Batra have already been granted the concession of interim bail and therefore, the petitioner also deserves the relief of anticipatory bail as claimed in this petition.

Learned counsel for the complainant also submits that the parties have arrived at an amicable settlement of their dispute in this case.

However, learned State counsel argues that in the FIR itself, the specific role has been attributed to the petitioner and keeping in view the gravity of the offence committed by him along-with his co-accused, this petition be dismissed.

As per the allegations as levelled in the subject FIR, the role

attributed to the present petitioner, is that he was armed with baseball bat at the time of the alleged occurrence and he caused injuries to the complainant-injured as well as to his friends with the same and he and his co-accused kidnapped both his afore-named friends. The factum of some compromise having been effected between the parties, at this stage, does not come to the rescue of the petitioner for seeking the relief of anticipatory bail in view of the gravity of the offences as alleged to have been committed by him as well as his co-accused.

The veracity and probability of the version as put-forth in the formal FIR would be looked into and ascertained by the competent Court at the appropriate stage after evaluating the evidence that would be led by both the parties in support of their respective contentions in this regard.

As regards the relief as granted to the above-named co-accused of the petitioner, it is worthwhile to mention here that the same is simply an interim relief and their petitions for seeking the same relief, as claimed in this petition, are yet to be finally decided by the Court.

As a sequel to the fore-going discussion, it follows that the instant petition deserves dismissal. Resultantly, the same stands dismissed.

July 01, 2021
pooja

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No