

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-38444-2020

DATE OF DECISION: JULY 26, 2021

SUKHPREET SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. ISHAN GUPTA, ADVOCATE FOR THE PETITIONER.

MR. RAMANDEEP SANDHU, SR.DAG, PUNJAB.

MR. SUNNY SINGLA, ADVOCATE FOR THE COMPLAINANT.

MANOJ BAJAJ, J.(ORAL)

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.33 dated 13.6.2020, under Section 324, 323, 506, 447, 511, 148, 149 IPC and Section 326 IPC (added subsequently), Police Station City Ahmedgarh, District Sangrur, who apprehended his arrest at the hands of police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 23.11.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that FIR was initially registered for the offences punishable under Sections 323 and 324 IPC and the offence punishable under Section 326 IPC was added subsequently. He has invited the attention of the Court to report (Annexure P-3) filed by the Police, wherein it is specifically mentioned that the weapon used in the crime has already been recovered from the petitioner. He contends that in the given facts, the custodial interrogation of the petitioner may not be necessary.

Notice of motion for 16.02.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

At this stage, Mr. Sunny Singla, Advocate appear on behalf of the complainant.”

Learned counsel for the petitioner states that pursuant to the above order, he has joined investigation.

Learned counsel for the State assisted by ASI Sukhbir Singh has stated that though the petitioner has joined investigation, but the offence punishable under Section 326 IPC is attributed to him and the injury suffered by the victim was declared grievous in nature.

At this stage, learned counsel for the complainant has invited the attention of this Court to the injuries suffered by the victim which shows that some part of the left hand was chopped off.

After hearing learned counsel for the parties and considering the above background particularly, the nature and seriousness of offence, this Court without expressing any opinion on the merits, does not find it to be a fit case to extend the concession of pre-arrest bail to the petitioner.

Dismissed.

July 26, 2021
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No
Whether Speaking/Reasoned : Yes/No