

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

CRM-M-43444 of 2021

DECIDED ON: 14th October, 2021

Simranjot Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Prashant Vashisth, Advocate for petitioner.

Mr. S.S. Deol, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 438 Cr.P.C. is filed for grant of anticipatory bail in case FIR No. 110 dated 10.8.2021, under Sections 451, 427, 323, 506, 148, 149 IPC (Section 452 IPC added lateron) registered at P.S. Division No. 1, Ludhiana City.

The FIR was against unknown persons. As per the contents on 9.8.2021 at about 9:30 P.M. two persons with muffled faces came in car bearing registration No.PB-10-BZ-7598. They were in drunkard condition and used abusive language, gave beatings to Monu Kumar. The complainant is running a hotel, his Manager and son tried to avoid the fight. The accused came again alongwith some more friends. They were armed with weapons like kirch, baseball bat, iron rod etc. They entered the hotel, damaged the articles and inflicted injuries upon the complainant, his son and waiter. The episode is recorded in the CCTV footage of hotel. The complainant claimed

Learned counsel for the petitioner submits that the petitioner is not named in FIR. He has been nominated as he was involved in another FIR. No overt act is attributed to the petitioner.

Learned State counsel on instructions opposes the prayer for grant of anticipatory bail and submits that the petitioner is the main accused. His car is visible in CCTV footage. He was the person who called the other accused. He was armed with datar and inflicted one injury each to the complainant, his son and waiter. He submits that it is a case where custodial interrogation is required as recovery is to be made and role of each of the accused needs to be determined.

The contention of learned counsel for the petitioner that petitioner is not named in the FIR does not enhance the case of the petitioner for grant of anticipatory bail. The accused came in the car belonging to the petitioner. As per the claim of the complainant, he can identify the person. During investigation it revealed that the petitioner had inflicted injuries with datar, the incident is recorded in CCTV.

Considering the gravity of allegations, no case is made out for grant of anticipatory bail.

Dismissed.

14th October, 2021

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**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned *Yes*
Whether reportable *Yes*