

CRM-M-49132-2021

Date of Decision: 30.11.2021

Amarjeet Singh @ Pechi

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. G.S. Kaura, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

By this petition, the petitioner seeks the concession of 'pre-arrest bail', upon FIR No. 255 having been registered at Police Station Talwandi Sabo, District Bathinda, on 10.12.2020, alleging therein the commission of offences punishable under the provisions of Sections 307/324/325/323/341/148/149 of the IPC.

At the outset, it is to be noticed that this is the 3rd petition filed by the petitioner, the first two petitions (CRM-M-16040-2021 and CRM-M-21388-2021), having been withdrawn, obviously when this court was not inclined to agree with the contentions raised by learned counsel appearing for the petitioner at both stages.

Today again learned counsel for the petitioner submits that even as per the opinion of the doctor (copy Annexure P-3), all multiple fractures and blood transfusions collectively, and the 10 injuries received by the victim, were dangerous to life.

He further submits that the petitioner only having been attributed a '*dang*' blow on the leg of the complainant, the role attributed to him cannot be taken to be one by which he intended to endanger the life of the victim.

He further submits that he is only 19 years of age and therefore deserves some leniency by this court.

It is to be observed that this 3rd petition is obviously one seeking a concession under the provisions of Section 482 and 438 of the Cr.P.C. (with Section 438 of the Cr.P.C. not invoked in the prayer clause).

Looking at the fact that the petitioner and his other co-accused collectively are alleged to have attacked the complainant and had caused very serious injuries to him, in my opinion, it is not a fit case where the petitioner can be admitted to the concession of anticipatory bail in any manner.

Consequently, this petition is dismissed.

However, it is made clear that nothing observed hereinabove will be taken to be a comment on the actual merits of the case for or against the petitioner, which would be wholly gone into as per evidence gathered, and led before the trial court (if it comes to that stage).

November 30, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.