

104 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53712-2021
Date of Decision: 22.12.2021

KULDEEP SINGH ALIAS SUNNY

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: Hon'ble Mr.Justice Deepak Sibal

Present: Mr.Onkar Rai, Advocate for the petitioner
Mr.Amandeep Singh Gill, Senior D.A.G., Punjab

Deepak Sibal, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.70 dated 30.07.2021 registered under Sections 326, 323, 324, 148, 149 at Police Station Bilga, District Jalandhar.

Briefly stated, the case of the prosecution is that on 27.07.2021 at about 6/6.30 pm the petitioner, along with his co-accused, all armed with deadly weapons, came on 4 motorcycles and attacked the complainant party. Such attack resulted in as many as 17 injuries on Pardeep Singh, Gurdeep Singh and Rashpal Singh out of which 2 injuries on Rashpal Singh were declared to be grievous.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case as earlier the petitioner side had lodged a FIR against the complainant side; the petitioner has no other criminal case pending against him; even if the case of the prosecution is

taken as the gospel truth, only simple injuries are attributed to the petitioner and that the petitioner is also ready and willing to join investigation as and when called by the investigating agency.

The petitioner and his co-accused, with a common intention, duly armed, attacked the complainant party and caused as many as 17 injuries, out of which 2 injuries on Rashpal Singh have been declared to be grievous. The petitioner has been specifically named in the FIR to be part of the unlawful assembly which caused the afore referred injuries.

In view of the allegations of merciless beatings given by the petitioner and his co-accused to the complainant party the petitioner does not deserve the concession of anticipatory bail especially when the weapon allegedly used by the petitioner is still to be recovered from him.

Dismissed.

It is clarified that the above observations have been made by this Court to decide the present petition seeking anticipatory bail in which investigation is still going on and therefore these observations be not construed as opinion on the merits of the case.

22.12.2021
gk

(Deepak Sibal)
Judge

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No