

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

Sr. No.113

CRM-M-2149-2022

Date of decision: 19.01.2022

Prince Kumar

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Sunny Singla, Advocate
for the petitioner.

Ms. Gunkirat Kaur, AAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.125 dated 25.08.2020 registered under Sections 308, 323, 148, 149 IPC at Police Station City-I, Malerkotla, District Malerkotla.

Briefly stated, the case of the prosecution is that on 17.08.2020, the complainant – Sinder Singh and his son Jaspreet Singh were attacked by the petitioner and his co-accused and in the course of such attack, four injuries were inflicted on the complainant and his son out of which the petitioner, who was armed with a baseball bat inflicted an injury on Jaspreet Singh's head which attracted applicability of Section 308 IPC.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case; version of the complainant is untrustworthy in the light of the document dated 07.09.2020 (Annexure P-3) through which the complainant and his son, after specifically naming

Arshdeep @ Arsh Gill and Sabar Khan in the complaint, have given them a clean chit and that there is an unexplained delay of 08 days in lodging of the FIR.

Admittedly, in addition to the present case the petitioner faces two other cases for attempt to murder. Thus, he is a habitual offender and has misused the concession of bail on more than one occasion.

In the view of the above and because the petitioner is attributed the injury attracting the applicability of Section 308 IPC as also because the weapon with which the petitioner was allegedly armed with is still to be recovered from him, no ground for the grant of anticipatory bail to the petitioner is made out.

Dismissed.

January 19, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No