

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

103A

CRM-M-19822-2022(O&M)
Date of Decision : May 10, 2022

BALWINDER SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Kanwar Pahul Singh, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

JASGURPREET SINGH PURI. J. (Oral)

The present petition is filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.53 dated 4.4.2022 under Sections 324/323/325/341/427/506/295/148/149 IPC, registered at Police Station Lopoke, Amritsar Rural.

It has been submitted by the learned counsel for the petitioner that the petitioner has been falsely implicated in the present case and the only role attributable to the petitioner was that of giving a danda blow and at the most the injury, if any, was pertaining to Section 323 IPC. He submitted that the other co-accused, namely, Balwinder Kaur @ Billo has been granted anticipatory bail by this Court and, therefore, he may be considered for the grant of anticipatory bail.

On the other hand, Mr. Davinder Bir Singh, DAG, Punjab has submitted that he has received an advance copy of the present petition and he has also sought instructions. He submitted that the petitioner

alongwith other co-accused have collectively caused injuries to 80 years' old person while he was coming back from his fields in his car. He further submitted that the petitioner had given a danda blow on the complainant who is an old person of 80 years and infact he suffered 18 injuries and his thigh bone was also broken. He submitted that it is a case where a group of persons attacked one person who is 80 years' old and in order to ascertain the motive and for the recovery of the weapons, the custodial investigation of the petitioner is required. He further submitted that the other co-accused, namely, Jatinder Singh, Palwinder Singh @ Pammi, Jorawar Singh and Kanwaljeet Singh had also filed petitions for anticipatory bail vide CRM-M-19005-2022, CRM-M-19014-2022, CRM-M-19016-2022 and CRM-M-19018-2022 and this Court had dismissed the same by way of a detailed order. He submitted that for the purpose of qualitative interrogation the custodial interrogation is required particularly in view of the fact that a large number of persons had collectively attacked one aged person of the age of 80 years who suffered 18 injuries.

I have heard the learned counsels for the parties.

It is a case where allegedly a group of persons collectively attacked one person aged 80 years which resulted in causing 18 injuries including breaking of his thigh bone. The petitioner alongwith other co-accused and as per the allegation had collectively attacked an old person. The anticipatory bail applications of the other four co-accused have been dismissed by this Court on 6.5.2022. The submissions made by the learned State counsel that for the purpose of qualitative interrogation and

recovery of weapons of offence the custodial investigation of the petitioner is required does carry weight. Therefore, in view of the gravity and magnitude of the offence, the petitioner would be dis-entitled for the grant of anticipatory bail.

Consequently, finding no merit in the present petition, the same is, hereby, dismissed.

May 10, 2022
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(JASGURPREET SINGH PURI)
JUDGE

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