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

**CRM-M-23288-2022
Date of Decision: 25.07.2022**

Gulshan Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rahul Sharma, Advocate,
for the petitioner.

Mr. R.S. Thind, DAG, Punjab.

Mr. Lakhwinder Singh Lakhanpal, Advocate,
for the complainant.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in FIR No.0068, dated 09.03.2022 under Sections 323, 324, 341, 506, 148 & 149 of the IPC and Section 326 of the IPC added later on, registered at Police Station City Sahnewal, District Police Commissionerate Ludhiana, District Ludhiana.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 06.04.2022 and after the completion of investigation, the challan has already been presented by the police before the competent Court. He further submitted that no recovery is to be effected from the petitioner, therefore, he may be considered for the grant of regular bail.

On the other hand, Mr. R.S. Thind, learned Deputy Advocate General, Punjab, on instructions from A.S.I. Pavittar Singh, has submitted that it is a case where the specific role attributable to the petitioner that he had caused grievous injuries to the injured. He further submitted that the petitioner is involved in five more cases of similar nature. Apart from the same, the petitioner in the present case itself had fabricated a cancellation report by appending forged signatures of earlier I.O., who had died and this fact was detected by the police whereas in fact there was no cancellation report. He also submitted that there is an apprehension that in case the petitioner is released on bail then he can tamper with evidence or abscond, and therefore, in view of the aforesaid facts and circumstances, the petitioner does not deserve the concession of regular bail.

Mr. Lakhwinder Singh Lakhanpal, Advocate has caused appearance on behalf of the complainant and has opposed the grant of regular bail to the petitioner on the ground that he has an apprehension that in case the petitioner is released on bail then he may again repeat the offence.

I have heard the learned counsel for the parties.

In the present case, the petitioner is in custody from about 3½ months. Although, investigation of the case has been completed but the petitioner is also involved in five more cases of similar nature. The submission made by the learned State counsel that the petitioner had submitted a fake cancellation report by forging the signature of earlier I.O., who had died and his apprehension that in case he is released on bail, then he may tamper with evidence or abscond cannot be ignored.

This Court is of the view that considering the aforesaid factors, the petitioner does not deserve the concession of regular bail. Consequently, the present petition is hereby dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

25.07.2022

Bhumika

**(JASGURPREET SINGH PURI)
JUDGE**

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| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |