

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-24533-2022 (O&M)
Date of Decision:-10.8.2022

Saka Mohammad ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Manuj Nagrath, Advocate for the petitioner.

Mr. Harpreet S. Multani, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.8 dated 25.2.2021, Police Station Jodhan, District Ludhiana, under Sections 307, 326, 325, 324, 417, 148 and 149 of Indian Penal Code.
2. The FIR in question was lodged at the instance of Jagmohan Singh, wherein it is alleged that on 23.02.2021, when he along with Sandeep Singh was proceeding towards Village Mansura on a motorcycle, then they were way-laid by four boys, who were carrying 'dah' and swords, who had come on black motorcycles. Another two boys, who came on a Activa scooter, stopped near the said boys. It is alleged that one of them, whose face was covered, inflicted a blow on the right arm of the complainant with a sword and when

the complainant and his friend-Sandeep Singh tried to run away from the spot, the said persons inflicted injuries on their heads but the complainant raised his left arm to save himself and consequently, the sword hit against his left arm. Another person attacked Sandeep Singh with his '*dah*', who also raised his left hand to save himself and consequently sustained injuries on his left hand. The boys, who had come on Aactiva scooter, were carrying hockey sticks and they also inflicted injuries to the complainant and to his friend Sandeep Singh with the help of same. The complainant stated that he suffered a fracture on his left leg and arm. When they raised alarm the said six boys fled away from the spot along with their respective vehicles.

3. Learned counsel for the petitioner has submitted that the petitioner is nowhere named in the FIR and came to be nominated pursuant to a supplementary statement of the complainant recorded on 4.3.2021, which apparently is an improvement in the case of the complainant.
4. On the other hand, learned State counsel, while opposing the petition has submitted that it is a case where the allegations stand duly substantiated from the medical evidence inasmuch as while the complainant sustained three injuries and Sandeep Singh, who was accompanying the complainant, had sustained 8 injuries. Learned State counsel further submitted that Sandeep Singh had sustained 5 grievous injuries out of the total 8 injuries sustained by him. It has been submitted that since the complainant in his supplementary statement has categorically nominated the petitioner to be the assailant, no case for grant of bail is made out. It has also been informed that when the police party went to the house of petitioner to effect his arrest, the police party was attacked by the petitioner and others and in respect of which a separate FIR has been lodged.

5. Having regard to the facts and circumstances of the case particularly the fact that the allegations virtually are found to be substantiated from the large number of injuries sustained by the complainant and his friend Sandeep Singh and while also bearing in mind the conduct of the petitioner in attacking the police party, when the police party went to his house to effect his arrest, no special case for grant of bail is made out. The petition sans merit and is dismissed.

10.8.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No