

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

CRM-M-26436 of 2022
Date of decision: 14.06.2022

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Bachittar Singh

....Petitioner(s)

Versus

State of Punjab

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

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

G.S.SANDHAWALIA, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. praying for grant of anticipatory bail to the petitioner in case FIR No. 43 dated 01.05.2020 registered under Sections 302, 326, 324, 323, 148, 149 IPC, P.S. Gharinda, Amritsar Rural, District Amritsar.

Counsel for the petitioner submits that 14 people were implicated by the complainant Balkaran Singh on account of death of his brother Jaskaran Singh. It is submitted that 4 persons have been attributed the injury on the head of the deceased and there are only two injuries as such which would be clear from the medical since there is a wound over left parietal area and occipital area.

A perusal of the FIR would go on to show that the version as such qua the complainant is that the petitioner had attacked the deceased with his *balla* which hit him on his head. Similarly, Chanpreet Singh is stated to have inflicted baseball bat blow which hit him on his head and Daljit Singh attacked with his *kirpan* whereas Ravinderjit Singh is stated to have used a *datar*. It is further submitted that it is a case of version and

In the considered opinion of this Court, the incident which has happened as such at that point of time, on the basis of which the FIR was lodged by the complainant, cannot be appreciated at this stage regarding the manner in which the assault had taken place. Admittedly, the deceased had suffered two injuries which led to his death. There is specific attribution to the present petitioner which *prima facie* is in consonance with the injuries which have been noticed. In such circumstances, custodial interrogation is required as such to recover the weapon and also to complete the investigation. The Additional Sessions Judge, Amritsar has not faulted in any manner in declining the benefit of anticipatory bail.

In such circumstances, no case is made out for grant of anticipatory bail and the present petition accordingly stands dismissed.

14.06.2022
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(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No