

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-31137-2022

Date of decision : 30.9.2022

Angrez Singh

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Bawa Karanveer, Advocate, for
Mr. Karunesh Kaushal, Advocate, for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.75 dated 13.6.2020 registered under Sections 307, 458, 324, 323, 148, 149 IPC at Police Station Arniwala, District Fazilka.

Reply filed on behalf of the State by way of affidavit of Jagdish Kumar, DSP, Sub Division, Jalalabad, District Fazilka is ordered to be taken on record.

Counsel for the petitioner submits that the petitioner has been falsely implicated in the present case; that as per allegations appearing on record, *kirch* blows were given to the complainant and even the said *kirch* with which the blows were given was removed by the concerned doctor at the time of medico-legal examination of the complainant. He further submits that thus, weapon of offence has already been recovered by the

police. He further contends that another co-accused who is also alleged to

have given *kirch* blows, was found innocent by the police during the investigation, meaning thereby, that the entire prosecution story is false. He further submits that the petitioner is ready to join the investigation with the police.

Present petition is opposed by the State counsel who submits that there are specific allegations against the petitioner who gave *kirch* blows in the abdomen of the complainant and the said *kirch* got stuck and was later on, removed by the concerned doctor when the complainant was brought to the hospital for his medical treatment. State counsel further submits that the petitioner is required by the police for proper investigation of this case.

I have considered the submissions made by the counsel for the parties.

The petitioner has been named in the FIR and as per allegations recorded in the FIR, at the time of occurrence, the petitioner along with Baljinder Singh, Baldev Singh and Sukhchain Singh and 2-3 other unidentified persons trespassed into the house of the complainant and at that time, the petitioner gave *kirch* blows in the abdomen of the complainant which was left stuck in the abdomen and thereafter, the accused persons fled away from there. After the occurrence, the complainant was taken to Government Hospital, Fazilka from where he was referred to Government Medical College and Hospital, Faridkot as the condition of the patient was serious and the said *kirch* was removed by the concerned doctor of the said hospital.

In view of above, as there are specific allegations against the petitioner, this Court is of the opinion that custodial interrogation of the

petitioner is necessary for proper and effective investigation of the case even if the weapon of crime has already been recovered by the police. Consequently, the present petition is hereby dismissed.

However, nothing stated hereinabove is to be considered as expression of opinion on the merits of the case.

(KARAMJIT SINGH)
JUDGE

September 30, 2022
Paritosh Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No