

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

**CRM-M No.33844 of 2022
Date of Decision: 01.09.2022**

Arshdeep Singh @ Ashu

.....Petitioner

Versus

State of Punjab

.....Respondent

BEFORE: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Damanjit Singh Sandhu, Advocate
for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab.

MEENAKSHI I. MEHTA, J.(Oral)

Apprehending his arrest in the criminal case arisen out of the FIR bearing No.71 dated 01.07.2022 registered at Police Station Daba, District Ludhiana, under Sections 307, 324, 325, 341, 148, 149 & 506 IPC, the petitioner has preferred this petition to seek the relief of pre-arrest bail.

2. Bereft of unnecessary details, the allegations, as levelled by the informant-injured named Gagandeep Singh in the subject FIR, are that on 30.06.2022, the petitioner, along-with his co-accused, had surrounded him and had caused injuries to him with weapons like 'datar' etc.

3. Learned State counsel has submitted the status-report on behalf of the respondent-State, by way of the affidavit of the Assistant

Commissioner of Police, Industrial Area-B, Ludhiana, in the Court today and the same is taken on the record.

4. I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file carefully.

5. Learned counsel for the petitioner contends that as mentioned in para No.3 in the status-report itself, the offence under Section 307 IPC has been dropped and rather, the offence under Section 326 IPC has been introduced in the subject FIR in view of the medical opinion qua the nature of the injuries allegedly suffered by the said informant and moreover, no specific role has been attributed to the petitioner in the alleged occurrence and in these circumstances, he (petitioner) deserves the relief as prayed for in the instant petition.

6. Per contra, learned State counsel, on the instructions from ASI Gurbaj Singh from the afore-said Police Station, apprises the Court that the said injured had got his supplementary statement recorded on 23.07.2022 specifically alleging therein that the petitioner had given three blows of the 'sword' on his person which landed on his head, hand and left shoulder and the injury inflicted on the head of the injured has been declared to be grievous in nature and he argues that it being so, this petition be dismissed.

7. Though, it has been mentioned in para No.3 of the status-report that the offence under Section 307 IPC has been dropped and the offence under Section 326 IPC has been invoked in the present case but however, as discussed earlier, the injured, in his supplementary statement,

has specifically alleged that the petitioner had caused injuries on his head, hand and shoulder with the 'sword' and the injury on his head has been declared to be grievous in nature.

8. Keeping in view the above-discussed facts and circumstances as well as the gravity of the offence as alleged to have been committed by the petitioner, this Court is of the considered opinion that he (petitioner) does not deserve the relief of pre-arrest bail. Resultantly, the petition in hand stands dismissed accordingly.

September 01, 2022

pooja

(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>