

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

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**CRM-M-36000-2022 (O&M)
Date of decision: 24.11.2022**

Gurjant Singh @ Janta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Devender Arya, Advocate for the petitioner.

Mr. Gurlal Singh Dhillon, AAG Punjab.

Mr. Ravi Rana, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

CRM-41480-2022

Application is allowed. The reply and photographs of injuries (Annexure C-1), copy of FIR (Annexure C-2) and dismissal order (Annexure C-3) are taken on record.

Main case:

Through this petition, petitioner seeks regular bail in case FIR No. 209 dated 23.06.2021 registered under Sections 307, 458, 323, 325, 506, 148 and 149 IPC at Police Station Derabassi, District SAS Nagar, Mohali.

Status report by way of affidavit dated 16.11.2022 of the Assistant Superintendent of Police, Sub-Division Dera Bassi, District SAS Nagar, already filed in the Registry is taken on record.

Learned counsel the petitioner submits that there is a delay of 02 days in lodging the present FIR and the petitioner has falsely been implicated; that though the petitioner has been shown armed with a Sword but no injury has been attributed to him; that the petitioner has been in custody since 03.06.2021; that as far as other cases are concerned, the petitioner is on bail; that co-accused, Gurmeet Singh, Ranjit Singh @ Minta and Rajbir Singh @ Raju, have been granted the concession of regular bail by the learned trial Court and that co-accused Suresh Kumar, who allegedly inflicted injury on the person of the complainant, has been declared innocent by the investigating agency.

Learned counsel for the petitioner further submits that earlier, the petitioner was granted ad interim anticipatory bail, which was dismissed on 27.05.2022.

Learned State counsel and learned counsel for the complainant, while vehemently opposing the prayer for bail, submits that though no injury has been attributed to the petitioner but the fact remains that during interim bail period, he tried to hit the brother of the complainant by his car. Regarding that FIR No. 124 dated 04.04.2022, under Sections 308, 341, 506, 427, 147, 149 IPC was registered at Police Station Derabassi, SAS Nagar (Mohali) on the statement of the brother of the complainant against the petitioner and because of that the ad interim bail granted to the petitioner was dismissed. However, learned State counsel does not dispute the custody period of the petitioner. He submits that the challan has been presented.

I have heard the learned counsel for the parties.

Since during ad interim anticipatory bail period, the petitioner tried to hit the brother of the petitioner for which FIR No. 124 dated 04.04.2022, has been registered against him and because of that his bail had been dismissed by this Court, there are chances that if he is released on bail he may pressurize the complainant and other witnesses.

In view of the above, the petitioner does not deserve the concession of regular bail.

Dismissed.

(HARNARESH SINGH GILL)
JUDGE

24.11.2022
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No