

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

CRM M 37250-2022 (O&M)

Date of Decision: 23.8.2022

Jaswant Rai @ Tota

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:-HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr.Bhupinder Ghai, Advocate for the petitioner

Mr.G.S.Sandhu, DAG, Punjab

...

The petitioner has approached this Court by filing this petition under Section 438 of the Cr.P.C. for grant of anticipatory bail to him in FIR No.62 dated 6.7.2022 under Sections 341, 336, 323, 325, 427, 148, 149 of the IPC and Sections 25, 27 of the Arms Act registered at Police Station Nurmahal, District Jalandhar Rural.

Learned counsel for the petitioner contends that no specific role and injury have been attributed to the petitioner. The petitioner has been falsely implicated in the present case. Learned counsel further submits that the complainant-Zora in the present case is himself a notorious don and he committed culpable homicide of two persons.

On the contrary, learned counsel for the State submits that the petitioner is guilty of heinous crime as he and his co-accused had caused injuries on the person of the complainant and his friend Gurpreet. Learned counsel for the State further submits that the petitioner is also an accused in another FIR No.173 dated 4.7.2021 under Sections 336 etc.

Having heard learned counsel for the parties and going

through the paper-book, it reveals that the petitioner followed

complainant Zora and others on his car. He himself fired two shots in the air whereas his co-accused caused injuries to complainant-Zora and his friend Gurpreet. MLRs of complainant Zora and his friend Gurpreet show that both of them were given four injuries each which have been kept under observation. The MLRs also show that there is one head injury each with sharp edged weapons on the persons of complainant Zora and Gurpreet. Furthermore, the petitioner is said to be involved in another FIR also. In the present case, investigation is still going on and, therefore, custodial interrogation of the petitioner is necessary for finding out the modus operandi of commission of offence and for recovery of the weapon. In view of seriousness of allegations and gravity of offence, I find that this is not a fit case to extend the concession of anticipatory bail to the petitioner. The petition is dismissed.

(ASHOK KUMAR VERMA)
JUDGE

23.8.2022
MFK

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