

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.18026 of 2023

Date of decision: 21st April, 2023

Pappu Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Jasvir S. Dhaliwal, Advocate for the petitioner.

Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

This is third petition filed by the petitioner under Section 439 Cr.P.C. for grant of the concession of bail in case bearing FIR No.53 dated 22.03.2021 under Section 326-A IPC registered at Police Station City 2, Mansa District Mansa. The previous petition filed by the petitioner, wherein similar relief had been sought, was dismissed on merits on 15.07.2022.

Learned counsel for the petitioner inter alia submits that the petitioner has been in custody since 13.05.2021 and since the material witnesses including the injured complainant stands examined, his further incarceration, in the circumstances, would serve no useful purpose, more so since as many as 8 prosecution witnesses out of 11 cited, remain to be examined. On merits, it has been submitted that it is

a case of false implication inasmuch as there was no CCTV footage on record, from which the petitioner could be connected with the crime in question. He submits that the incident took place in the evening of 21.03.2021 at 10:00 p.m. No test identification parade was carried out to establish the presence of the petitioner at the spot at the time of occurrence in question. It has been submitted that it is thus evident that a totally unbelievable version has been brought forth against the petitioner by the complainant.

Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has drawn the attention of this Court to the allegations levelled in the FIR in question. Learned State counsel submits that on a perusal of the FIR, it comes across that the petitioner was well acquainted with the complainant and it had been specifically stated therein that the petitioner was a frequent visitor to the house of the complainant. Hence, in the circumstances, once the parties were well acquainted with each other and the petitioner had been named also, there was no question of carrying out any test identification parade. It has also been submitted that the petitioner threw acid on the face, head and left arm of the complainant, who was immediately shifted to the hospital where she was medico-legally examined. Still further, while stepping into the witness box, the complainant had reiterated the allegations leveled against the petitioner and fully supported the case of the prosecution. Learned State counsel on further instructions has apprised the Court that now only formal

witnesses remain to be examined and hence, the trial shall not take much time to conclude. It has also been submitted that in view of the heinous crime committed by the petitioner, he does not deserve the concession of bail.

I have heard learned counsel for the parties and perused the relevant material on record.

A perusal of the FIR in question reveals that the petitioner came to the spot carrying a bottle of acid on the fateful day and thereafter, threw the same on the injured complainant, as a result of which she sustained multiple acid burn injuries on various parts of her body including face, chest and arms. In the wake of serious allegations levelled against the petitioner, he does not deserve the concession of bail.

Dismissed.

However, it is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

April 21, 2023
rps

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