

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213-2

CRM-M-25263-2023

Date of decision: 12.07.2023

Karamjit Singh alias Karmi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. J.K. Singla, Advocate for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

Mr. P.S. Sekhon, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.17 dated 31.03.2023 for the offences under Sections 307, 341, 323, 325, 148, 149 IPC registered at Police Station Sadar Budhlada, District Mansa (Annexure P-1)

2. Vide order dated 18.05.2023, the petitioner had been directed to join investigation.

3. Learned State counsel, on instructions from ASI Najjar Singh, submits that the petitioner has joined investigation in compliance of order dated 18.05.2023.

4. However, learned State counsel assisted by learned counsel for the complainant has disputed the submissions made by learned counsel for the petitioner that the petitioner had been attributed only a simple injury on the person of the injured complainant. It has been

submitted that the injuries sustained by the complainant were on various parts of the right side of his body and those injuries were not simple in nature as had been contended on the last date of hearing by the learned counsel for the petitioner.

5. Learned counsel appearing for the petitioner, however, has controverted the submissions made by learned State counsel and the counsel for the complainant by urging that the injury sustained by the complainant was a blunt injury inflicted with an iron rod.

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

7. A perusal of the FIR in question as well as the medical evidence which has been referred to by the learned State counsel reveal that the injured complainant sustained not one but multiple injuries on the right side of his body which were inflicted with an iron rod. No doubt, the injuries were opined to be blunt in nature, however, prima facie it is evident that the petitioner who was a part of unlawful assembly had given repeated blows with the iron rod on the person of the complainant. In the facts and circumstances, this Court is not inclined to extend the extraordinary concession of anticipatory bail to the petitioner.

8. Accordingly, the instant petition is dismissed.

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

12.07.2023

Vinay

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No