

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

104

CRM-M-38448-2023

Date of decision: 07.08.2023

Hardeep Singh alias Dodha and others

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. K.S. Mehta, Advocate
for the petitioner.

Mr. Gursharan Singh, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners are seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.45 dated 21.06.2023 under Sections 341, 323, 324, 325, 326, 427, 506, 148 and 149 of the IPC, registered at Police Station Bhaini Mian Khan, District Gurdaspur.

2. Learned counsel appearing for the petitioners inter alia contends that the petitioners have been falsely implicated in the case in hand for allegedly assaulting the son of the complainant Jagmeet Singh @ Soni with sharp edged weapons. It has further been submitted that petitioner No.3 has been attributed a simple injury inviting the mischief of Section 324 of the IPC whereas grievous injuries have been attributed to the other two petitioners. It has been submitted that the complainant party was nursing a grudge against the petitioners as son

of the complainant Jagmeet Singh had performed Court marriage with the sister of petitioner No.1 against their wishes, and on account of the same a fabricated version had been brought forth against the petitioners just to harass and humiliate them.

3. I have heard learned counsel and perused the relevant material on record including the FIR in question.

4. As per allegations levelled in the FIR when injured Jagmeet Singh was riding his motorcycle, all the accused including the petitioners intentionally struck their car into Jagmeet Singh's motorcycle as a result of which he fell down on the road. Thereafter, all the accused including the petitioners who were armed with sharp edged weapons assaulted Jagmeet Singh as a result of which he received 06 injuries on his person out of which 02 injuries were declared to be grievous in nature. Prima facie, it comes across as a pre-mediated attack carried out by all the accused, including the petitioners, who were travelling together in a car and were armed with lethal weapons. In view of the allegations levelled particularly the manner in which the crime in question was given effect to, the petitioners do not deserve the extraordinary concession of anticipatory bail.

5. Accordingly, the instant petition stands dismissed.

6. 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.

07.08.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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