

S. No.101

2023:PHHC:126231

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

CRM-M-46635 of 2023

Date of Decision:25.09.2023

Surinder Singh @ Sajjan

.....Petitioner

Vs.

State of Punjab

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rahul Rampal, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 438 Cr.P.C., petitioner has prayed for grant of anticipatory bail in case FIR No.17, dated 11.02.2023, registered under Sections 323, 307, 452, 148, 149 IPC at Police Station D. Division, District Amritsar.

On account of advance notice, appearance has been made by Shri M.S. Nagra, AAG, Punjab, on behalf of the respondent- State.

FIR was lodged on the complaint of Sunny Kumar, as per which, on 11.02.2023, at about 12.00/12.15 PM, his brother-in-law Surinder Singh alias Sajjan (petitioner) armed with datar, Sahib carrying sword, Happy armed with Baseball bat and Meet carrying a glass bottle along with 7/8 unidentified persons came there in Santro car and on the exhortation of the petitioner, co-accused Sahib hit with his sword, which landed on the backside of the head of the complainant. Petitioner then hit datar to the complainant hitting on the backside of his head whereas Happy gave base ball bat blow on his right biceps. It was alleged further that complainant was badly beaten before the assailants sped away.

It is contended by learned counsel that petitioner has been falsely implicated, due to the matrimonial discord between the petitioner and his wife. Complainant is the cousin of the wife of the petitioner and that earlier FIR No.58 dated 07.06.2022 had been registered against the complainant under Section 454/380 IPC. Besides, antecedents of the complainant are visible from the photograph Annexure P.3, wherein he is seen with loaded pistol.

Strongly opposing the bail petition, learned State Counsel has pointed out towards Medico Legal Report Annexure P.4 revealing as many as four injuries on the person of complainant Sunny. Attention is further drawn towards the fact that petitioner was leading the group of assailants, which formed an unlawful assembly and that the petitioner is specifically attributed to be armed with datar and to have given blow with the datar on the back-side of the head of complainant.

Having regard to the afore-said attribution to the petitioner, but without commenting anything further on the merits of the case, the Court finds the present case unfit for grant of anticipatory bail.

Dismissed.

September 25, 2023
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No