

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-47394-2023

Date of Decision: 20.09.2023

Manpreet Singh

. . . . Petitioner

Vs.

State of Punjab

. . . . Respondent

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr. Prince Sharma, Advocate, for the petitioner.

DEEPAK GUPTA, J.

By way of this petition filed under Section 438 CrPC, petitioner prays for grant of anticipatory bail in case FIR No.78 dated 25.08.2023 registered at Police Station Verowal, Tehsil and District Taran Taran, Punjab under Sections 323/324/326/148/149 IPC.

2. It is contended by ld. counsel that injury attracting Section 326 IPC is not attributed to the petitioner, as petitioner was armed only with the stick and that only attribution to him is to have given stick blow on the person of the complainant, which landed on the right side of his back, which injury was simple in nature. It is also submitted that petitioner is ready to join the investigation. Besides there is delay of 4 days in lodging the FIR.

3. Notice of motion.

4. Mr. R.S. Khaira, DAG, Punjab, accepts notice on behalf of the respondent/State.

5. Ld. State counsel has drawn attention towards the contents of the FIR, which was lodged on the complaint of Gurmit Singh, which would reveal that on 21.08.2023, complainant and two others were waylaid by the petitioner Manpreet Singh son of Balwant and various others co-accused, namely, Harjas Singh @ Modi, Baldev Singh s/o Arjan Singh, Harjas @ Jassu s/o Davinder, Jeevan Singh son of Bachan Singh, Gurpreet Singh @ Gopi, Kulwinder Singh son of Surjit Singh, Navi Singh son of Satnam Singh, Karan Singh son of Narinder Singh, Sukhwinder Singh @ Gagi son of Tarlok Singh, Mangal Singh son of Surjit, Vijay son of Kulwinder Singh and Baljit Singh son of Joginder Singh. All of them were armed with various kinds of weapons like kirpan, danda, datar, iron pipe etc and all of them in furtherance of common intention caused numerous injuries on the person of complainant Gurmit Singh, Angrej Singh and Ranjit Singh. Ld. State counsel pointed out that as many as six injuries were found to be inflicted on the person of complainant including grievous injury. Six injuries were found on the person of Angrej Singh and one on the person of Ranjit Singh. Ld. State counsel submits that the contents of the FIR would reveal that brutal attack was made upon the complainant party by the petitioner along with various other co-accused.

6. I have heard submissions of both the parties and appraised the record.

7. Though petitioner is attributed to have given a stick blow upon the person of the complainant, but the contents of the FIR cannot be ignored to the effect that petitioner was member of an unlawful assembly, each

member of which was armed with various kinds of weapons and who caused numerous injuries on the person of the complainant and two others.

8. Considering the above circumstances, the court finds that this is not a fit case for grant of anticipatory bail.

Dismissed.

(DEEPAK GUPTA)
JUDGE

20.09.2023

Vivek

1. Whether speaking/reasoned?	Yes/No
2. Whether reportable?	Yes/No