

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-47559-2023

Date of Decision: 21.09.2023

Jasmeet Singh

. . . . Petitioner

Vs.

State of Punjab

. . . . Respondent

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr. Vivek Salathia, 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.178 dated 11.08.2023 registered at Police Station Ranjit Avenue, District Police Commissionerate, Amritsar under Sections 323/324/341/355/379/148/149 IPC.

2. It is contended by ld. counsel that petitioner has been falsely implicated; that he was not part of unlawful assembly; that the only role attributed to the petitioner is to have given lalkara; that petitioner is ready to join the investigation and so, he be allowed anticipatory bail.

3. Notice of motion.

4. Mr. M.S. Nagra, AAG, Punjab, accepts notice on behalf of the respondent/State.

5. Ld. State counsel has strongly opposed the bail application submitting that solitary role of the petitioner is not to be considered in isolation and in fact petitioner was leading the group of assailants, who attacked the complainant with sharp edged weapons and caused injuries to him. Ld. State counsel prayed for dismissal of the petition.

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

7. Perusal of the FIR reveals that it was recorded on the complaint of Ajit Singh, as per which on 04.08.2023, when he was present with his friends at Ranjit Avenue, Amritsar, petitioner along with others kept on calling him and asking for his location and then he along with various un-identified persons came on motorcycle. Petitioner raised lalkara to catch hold of the complainant and then co-accused Jasraj Singh removed his turban and gave datar blow on his head and other co-accused Manmeet Singh caused injuries to him on head. The assailants also snatched 20 gm gold chain worn by him and then all of them fled away. It is further revealed that three injuries were found to have been caused to the complainant with sharp edged weapon, out of which two of the injuries were on right and left parietal region.

8. It is true that petitioner is attributed to have raised lalkara only, but the perusal of the FIR would reveal that he was leading the group of assailants forming an unlawful assembly, which brutally attacked the complainant party and caused injuries.

9. In view of the aforesaid circumstances, this Court finds the case to be not fit for grant of anticipatory bail.

Dismissed.

(DEEPAK GUPTA)
JUDGE

21.09.2023

Vivek

1. Whether speaking/reasoned?
2. Whether reportable?

Yes/No
Yes/No