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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No. 50681 of 2023

Decided on: 04.12.2023

AMRITPAL SINGH @ BHOLA SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. J.S. Jaidka, Advocate,
for the petitioner

Mr. Anmol Singh Sandhu, AAG, Punjab.

.....

SANJIV BERRY, J (ORAL)

By way of the present petition filed under Section 438 Cr.P.C the petitioner is praying for anticipatory bail in the event of arrest in FIR (Annexure P-1) detailed as under:-

FIR No.	Dated	Sections	Police Station
123	10.10.2021	326A, 149 IPC	Sadar Raikot, District Ludhiana.

2. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case due to previous enmity with complainant. He submits that even as per FIR simple injuries have been attributed to the petitioner and the petitioner is ready to join the investigation as such he prays for grant of concession of

bail.

3. Per contra, learned State counsel has referred to the reply dated 08.11.2023 submitted by Deputy Superintendent of Police, Raikot, District Ludhiana (Rural) and has opposed the bail application by arguing that there are specific allegations against the petitioner of having thrown acid on the back of the complainant, so considering the heinous nature of the crime petitioner does not deserve concession of bail.

4. In nutshell, brief facts of the case putforth by the petitioner are that on 10.10.2021 while the complainant was going to Gurudwara on cycle, Jagjit Singh @ Pappu along with Bhola Singh (present petitioner) were standing, Jagjit Singh exhorted Bhola Singh to throw acid, the complainant tried to step up his cycle but in the meanwhile Bhola Singh petitioner gave acid spray on the back of complainant. Thereafter, co accused Pritam Singh also asked Kali son of Jagjit Singh and other person to spray acid also but in the meanwhile the complainant escaped. The complainant was got medically examined and the present FIR was registered.

5. Considering the facts and circumstances of the case and also the rival contentions raised by counsel for the petitioner and State counsel, it is evident that the co-accused Jagjit Singh and Pritam Singh have since been granted regular bail by this Court. It transpires that there is specific attribution to the petitioner of having sprayed acid on the complainant, no doubt, the injuries sustained by the complainant were declared as simple in nature but the very conduct of the petitioner of spraying acid on the complainant dis-entitles him from concession of anticipatory bail.

6. Therefore, considering the nature and gravity of the offence, it is observed that no case is made out in favour of the petitioner for grant of anticipatory bail, as a consequent the petition is hereby dismissed.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

04.12.2023

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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No