

CRM-M-63294-2023
Date of decision: 15.12.2023

Yadwinder SinghPetitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Naveen Sharma, Advocate
for the petitioner.

Ms. Navreet Kaur Barnala, AAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C. for issuance of directions to the Arresting Officer to release the petitioner on anticipatory bail in event of his arrest in a case bearing FIR No.92 dated 01.09.2023 under Sections 307/323/324/506/427/34 of IPC registered at Police Station Payal, Police District Khanna, District Ludhiana (Annexure P-1).

Learned counsel for the petitioner *inter aila* contends that it is a case of road rage and all the injuries are simple in nature. The alleged FIR is lodged after a delay of 24 hours in spite of the fact that the distance between the police station and the hospital is nearly 50 meters and the story is concocted to falsely implicate the petitioner. The police is under the influence as the complainant has aggravated the offence to the extent of Section 307 of IPC, whereas, the facts and circumstances of the case clearly indicates that invocation of Section 307 of IPC is not made out.

Having heard learned counsel for the petitioner and after perusing

CRM-M-63294-2023

-2-

the records of the case, this Court finds no merit in the arguments advanced by learned counsel for the petitioner.

Perusal of the injury report shows that the petitioner gave a *datar* blow on the head of the complainant and the complainant received seven injuries in the occurrence, five of which, have been caused by sharp weapon. The custodial and thorough investigation of the petitioner is required and thus, the present petition being devoid of merits, stands dismissed.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

(HARPREET SINGH BRAR)
JUDGE

15.12.2023
Neha

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