

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-995-2024

Date of decision: 27.02.2024

Satnam Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Kunal Sarangal, Advocate for
Ms. Sukhveer Kaur, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Mr. Salinder Kumar, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.0067 dated 19.07.2022 under Sections 324, 323, 148, 149 of the IPC (Sections 326 and 307 of the IPC added lateron), registered at Police Station Ramdas, District Amritsar Rural.

2. Learned counsel for the petitioner inter alia contends that it is a case of version and cross version wherein both the parties received injuries at the hands of each other. It has been further submitted that prior to the occurrence in question, as per the admitted case of the complainant party they had assaulted the uncle of the petitioner and it was on account of the same that the occurrence in question took place. It has also been submitted that the accused party had received grievous injuries at the hands of the complainant party in an occurrence which

took place on 15.07.2022.

3. Per contra, learned State counsel assisted by learned counsel for the complainant, has drawn the attention of this Court to the FIR which was registered at the instance of the complainant party and has been annexed as Annexure P-1. It has been submitted by learned State counsel on instructions from ASI Guriqbal Singh that the petitioner along with co-accused trespassed into the house of the complainant armed with lethal weapons; all the accused including the petitioner then attacked the complainant party as a result of which Kuldeep received an injury dangerous to his life at hands of none other than the petitioner who was allegedly armed with a datar. Learned State counsel has submitted that it was not a case of version and cross version and the injuries if at all suffered by the accused party was in some other occurrence which may have taken place between the parties and those injuries sustained by the accused party were opined to be simple in nature. Learned counsel has also further submitted that it was after three months of the alleged occurrence, one GDR was got recorded at the instance of the accused party annexed as Annexure P-3 against the complainant party herein. Learned State counsel has also informed the Court that the medico legal report of the injured finds due corroboration with the ocular testimony of the complainant.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. A perusal of the FIR, prima facie, reveals that it was a premediated attack carried out by the accused party including the petitioner, who were all armed with lethal weapons. Injury attracting

the mischief of Section 307 of the IPC has been attributed to the petitioner which was on vital part of the body of the injured complainant i.e. on his head. In the facts and circumstances as enumerated hereinabove, the petitioner does not deserve the extraordinary concession of anticipatory bail.

6. Accordingly, the instant petition is hereby dismissed.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

27.02.2024

(MANJARI NEHRU KAUL)

Vinay

JUDGE

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