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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-1039-2024
Date of decision: 10.01.2024

Mukhtiar Singh
...Petitioner

Versus

State of Punjab
...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. M.S. Hundal, Advocate for the petitioner.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of concession of anticipatory bail in DDR No.32 dated 22.10.2023 under Sections 326/324/323/148/149 IPC in FIR No.213 dated 22.10.2023 under Sections 324/323/506/148/149 IPC registered at Police Station Gur Harsahai, Ferozepur.
2. Notice of motion.
3. Mr. G.S. Sidhu, AAG, Punjab accepts notice on behalf of the respondent-State.
4. The counsel for the petitioner submits that the petitioner has been falsely implicated in the present case which is of shoot of FIR No.213 dated 22.10.2023 which was registered against Chiman Singh, Varinder Singh, Nanak Singh, Raj Singh and Krishna Rani on the basis of the

Statement of Gurdeep Kaur wherein she alleged that the aforesaid persons attacked Gurdeep Kaur on 20.10.2023 with different weapons and caused injuries on her person. It is further contended that the case involves version as well as cross version and the aggressor party will be ascertained at the time of trial. It is further submitted that the alleged injury attributed to the petitioner is on non vital part of body of Varinder Singh and that the petitioner is ready to join the investigation. So prayer is made that the petitioner be granted anticipatory bail.

5. The present petition is resisted by the State counsel who submits that at the time of occurrence petitioner caused grievous injury with kappa (a sharp edged weapon) on left thumb of Varinder Singh which attracts provision of Section 326 IPC. It is further submitted that the petitioner is required by the police for proper investigation of the case.

6. I have considered the submissions made by the counsel for the parties.

7. For the purpose of disposal of the present bail application, the version alleged in FIR No.213 of 22.10.2023 is not of much significance as in the said FIR, the name of the petitioner is neither appearing as a victim nor as a witness to the alleged occurrence wherein the opposite party caused injuries to Gurdeep Kaur. As per DDR No.32 dated 22.10.2023 which was registered on the basis of the statement of Varinder Singh, there are specific allegations against the petitioner that he caused grievous injury on the left thumb of Varinder Singh with a sharp edged weapon and the said injury is covered under Section 326 IPC. The weapon used by the petitioner for commission of crime is yet to be recovered. So the custodial interrogation

of the petitioner is necessary for proper and effective investigation of the case.

8. In light of the above, the present petition is hereby dismissed being devoid of merits. However, any observation made herein above is not to be construed as expression of opinion on the merits of the case.

10.01.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

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