

CRM-M-3287-2024

Date of decision: 27.02.2024

GURPREET SINGH ALIAS GHUGI

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Amit Arora, Advocate
for the petitioner.

Mr. Baljinder Singh, DAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.111 dated 03.07.2023 registered under Sections 326, 324, 323, 148, 149 of IPC at Police Station Sadar Tarn Taran, District Tarn Taran.

2. The allegations in nutshell are that complainant-Sajandeep Singh got recorded his statement with the police that on 20.06.2023 at about 1.30 PM he was returning to his house when accused Sarabjit Kaur @ Shabo raised lalkara and then present petitioner armed with datar, co-accused Prince, Goldy, Malkiat Singh and Daljit Singh along with Sandeep kaur pounced upon him and at that time co-accused Prince, Goldy and Malkiat Singh were armed with bamboo sticks. Petitioner Gurpreet Singh gave datar blow which hit on left arm of complainant, as a result of which complainant fell on the ground and then remaining accused gave him kick blows.

3. Counsel for the petitioner submits that the petitioner is falsely implicated in the present case. It is further submitted that the alleged occurrence took place on 20.06.2023 whereas the complainant got recorded his statement on 03.07.2023 and the said delay is not explained in any manner by the complainant. Counsel for the petitioner further submits that co-accused are already given concession of interim bail by this Court and that petitioner is ready to join the investigation with the police.
4. On the other hand, learned State counsel submits that the injury attributed to the petitioner caused with sharp edged weapon was found to be grievous in nature and the allegations being serious, petitioner is not entitled to get concession of anticipatory bail.
5. From the perusal of the Medico Legal Report of the complainant, it is evident that he was medically examined on the date of occurrence itself i.e. 20.06.2023, in Civil Hospital, Tarn Taran. The injury caused by petitioner on left arm of the complainant with help of datar (sharp edged weapon) was found to be grievous in nature and as such offence under Section 326 IPC is prima facie attracted against the petitioner. In the given circumstances, this Court is of the view that petitioner is not entitled to get anticipatory bail as prayed for.
6. Consequently, the present petition is hereby dismissed. However, any observation made hereinabove is not to be construed as expression of opinion on merits of the case.

27.02.2024

Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No