

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SR. No.105

CRM-M-3493-2024
Date of decision:23.01.2024

Ravi

...Petitioner

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE N.S. SHEKHAWAT

Present: Mr. Mayank Mathur, Advocate for the petitioner.

N.S. SHEKHAWAT, J.

1. Petitioner prays for grant of pre-arrest bail in FIR No.78 dated 04.06.2023 registered under Sections 308/323/341/506 IPC at Police Station Kotwali, Nabha.
2. As per the case of the prosecution, FIR in the present case was registered on the basis of statement made by Ravi Singh. As per the complainant, Gurbhej Singh, son of Amarjit Singh, friend of the petitioner, was admitted in Civil Hospital, Nabha on account of the injuries suffered in a scuffle. At about 10.00 AM on 04.06.2023, the complainant went to the Civil Hospital, Nabha, to enquire about his well being. He was sitting with Gurbhej Singh in the canteen of Civil Hospital, Nabha and in the meantime, Ravi son of Channa (petitioner) armed with an iron rod and Vivek also armed with an iron rod, came there and Ravi, petitioner, gave a blow with an iron rod on the head of the complainant with an intention to kill him. On this, the complainant fled from the spot and Vivek gave a blow with an iron

rod on the back side of his head with an intention to kill him. The complainant ran towards the Emergency Ward, in order to save himself, but both the accused confined him in the Doctors' Room and Ravi gave an iron rod blow on his right leg below the knee. Vivek also gave several blows with the iron rod to him, which hit on the left ear, near head, left shoulder, right shoulder and on the back side of the complainant. After causing injuries to the complainant in the Doctors' Room, both the accused fled away from the spot by extending threats to kill them. Aman Kumar, brother of the complainant, reached the spot and got him admitted in the hospital. However, keeping in view his serious condition, he was referred to Rajindra Hosital, Patiala.

3. Learned counsel for the petitioner submits that the complainant has lodged the present FIR due to previous enmity between the parties. In fact, the petitioner had got registered one FIR No.188 dated 07.08.2021 registered under Sections 325/323/341/34 IPC at Police Station Kotwali Nabha against the present complainant and with a view to pressurise the petitioner, the complainant got the present FIR registered against him and his co-accused. He further contends that even no offence under Section 308 IPC is made out against the petitioner and the said offence has been added only to make the offence graver.

4. On an advance notice, Mr. I.P.S. Sabharwal, DAG, Punjab has put in appearance on behalf of the respondent-State and submitted that the complainant has levelled serious allegations against the present petitioner. In fact, the petitioner and his co-accused had attacked the complainant in Civil

Hospital, Nabha and the complainant was caused injuries not only in Emergency Ward of the Hospital, where several patients were admitted, but the complainant was confined in the Doctors' Room of the Civil Hospital, Nabha. Even the complainant was brutally attacked in the Doctors' Room and after causing serious injuries to him, he was left by the petitioner, believing him to be dead at the spot and thereafter, both the accused fled away from the place of occurrence. Learned counsel for the State has also submitted that eight more FIRs of similar nature have also been registered against the petitioner.

5. I have heard the learned counsel for the parties and perused the case file minutely.

6. Keeping in view the gravity of offence and the fact that eight more FIRs of similar nature have also been registered against the petitioner, this Court is of the considered view that the petitioner does not deserve the concession of interim anticipatory bail at this stage. Moreover, the weapons of offence are yet to be recovered and thus, custodial interrogation of the petitioner is required.

7. In view of the above, the present petition is hereby dismissed.

23.01.2024
mks

(N.S. SHEKHAWAT)
JUDGE

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO