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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No.6023 of 2024
Date of Decision:-01.03.2024

GURDEV SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. N.S. Dandiwal, Advocate,
for the petitioner.

Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J (ORAL)

Learned State counsel has filed reply dated 27.02.2024 by way of affidavit of Deputy Superintendent of Police, (City) Moga, District Moga. The same is taken on record. Copy thereof, has been supplied to the counsel opposite.

2. By way of the present petition filed under Section 438 Cr.P.C the petitioner is praying for anticipatory bail in the event of arrest in FIR (Annexure P-1) detailed as under:-

FIR No.	Dated	Sections	Police Station
0004	09.01.2024	308, 323, 34 IPC	Sadar Moga, District Moga.

3. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner has no role in the alleged occurrence and infact the injury declared to be dangerous to life was sustained by the injured after his fall on pointed object. He contends that the petitioner is ready to join investigation and as such he prays for grant of concession of anticipatory bail to the petitioner.

4. *Per contra*, learned State counsel submits that the petitioner does not deserve concession of anticipatory bail as there are specific allegations against him of having caused injury with the pointed object on the head of Karnail Singh. He submits that the custodial interrogation of the petitioner is required, as such he is not entitled for concession of bail.

5. After considering the rival contentions and perusing the record, it transpires that the instant case was registered on the complaint of injured Karnail Singh stating that his daughter Paramjit Kaur was married to Lakhvir Singh son of Gurdev Singh petitioner and on 12.12.2023 on account of the marriage of his uncle's grandson Harpreet Singh, Paramjit Kaur along with her husband Lakhvir Singh had came there and after attending the marriage return back to their village. At about 8:00 PM, he received a telephonic call from her daughter Paramjit Kaur that her husband Lakhvir Singh after consuming liquor is beating her. Thereafter, he along with sister-in-law Sukhdev Kaur and cousin Nirmal Singh went to the matrimonial house of his daughter and saw blood oozing out from the cheek of Paramjit Kaur. When the complainant asked Lakhvir Singh, he claimed that he was

not given ring in the marriage and gave dang blow on the right arm of the complainant followed by the petitioner giving blow with pointed object on the forehead, as a result he fell down and was taken to hospital and then medical College and Hospital, Faridkot. The injury No.1 on the forehead has been declared dangerous to life.

6. In view of above discussion, it is observed that the injury on the forehead suffered by the complainant has been declared to be dangerous to life which is attributed to the present petitioner, therefore, custodial interrogation of the petitioner is required.

7. In these circumstances, considering the nature and gravity of the offence, no case is made out in favour of the petitioner for grant of anticipatory bail, as a consequent the petition is hereby dismissed.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

01.03.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |