

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. CRM-M No.12533 of 2024

Fateh Singh

... Petitioner

Versus

State of Punjab

... Respondent

2. CRM-M No.12564 of 2024

Gurwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

Date of decision: 12th March, 2024

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gurmeet S. Saini, Advocate for the petitioners.

Mr. Nitin Meel, Advocate for the complainant.

MANJARI NEHRU KAUL, J.

1. The petitioners in both the petitions detailed hereinabove are seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.0201 dated 15.12.2023 under Sections 323, 447, 148, 149 of the IPC (Sections 308, 325, 324 IPC added later on) registered at Police Station Makhu, District Ferozepur. Since both the petitions emanate from the same FIR, they are being taken up together for disposal by way of this common order.

2. Learned counsel for the petitioners inter alia contends that they have been falsely implicated in the instant case for allegedly inflicting injuries on the complainant and his son. While drawing the

attention of this Court to the DDR, which has been annexed as Annexure P-2, it has been further submitted 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 submitted that in the aforementioned facts and circumstances, since both the parties have received injuries, the custodial interrogation of the petitioners would not be required and would also serve no useful purpose, more so since no recovery is to be effected from them.

3. I have heard learned counsel for the petitioners and perused the relevant material on record.

4. Prima Facie, it comes across as a premeditated attack wherein the petitioners along with other co-accused, came to the fields of the complainant carrying lethal weapons such as kirpans, dandas etc. and then inflicted number of injuries on the person of the complainant and his son. As per the allegations leveled, petitioner Gurwinder Singh inflicted a kappa blow on the wrist of the complainant as well as on the head of the son of the complainant, whereas petitioner Fateh Singh allegedly inflicted kirpan blows on the head and face of the complainant.

5. In view of the gravity of the offence and the nature of injuries attributed to both these petitioners, they do not deserve the extraordinary concession of anticipatory bail. Both the petitions stand dismissed.

6. 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.

(MANJARI NEHRU KAUL)
JUDGE

March 12, 2024
rps

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