

CRA-S-1053-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-S-1053-2024
DECIDED ON:14.03.2024

PRINCE SINGH @ DODDI

.....APPELLANT

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. MS Saini, Advocate, for
Mr. Vishal Sharma, Advocate
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

Mr. Ravi Malhotra, Advocate,
for the complainant.

SANDEEP MOUDGIL, J.(ORAL)

The prayer made by the appellant in the present appeal is for setting aside the impugned order dated 06.03.2024 vide which his petition for grant of anticipatory bail has been dismissed by the learned Additional Sessions Judge, District Pathankot in FIR No.20, dated 12.02.2024, registered under Sections 307, 324, 148, 149 of IPC and Sections 3 and 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, at Police Station Division No.2, District Pathankot.

Learned counsel for the appellant contends that the alleged injuries are stated to be five in number and none of them has been declared dangerous to life, which would be attributed to the present appellant. It is an argument that the appellant was not present at the spot and has been

nominated subsequently on the basis of statement of injured Aditya without having the specific role attributed to him.

In the light of the above, learned counsel submits that the case under Section 307, 324, 148 and 149 IPC cannot be said to be made out. In fact the appellant, who was not present at the spot and accordingly Sections 3 and 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 be also deprecated in the prosecution against the appellant.

On the other hand, learned State counsel, on instructions from ASI Baljinder Singh, corroborating the allegations with the medio legal report submits that the appellant has given a dangerous blow on the head of the injured as observed by the trial Court and on that account, the concession of anticipatory bail was not extended to him.

Learned counsel for the complainant has also submitted that appellant has a history of being involved in such like cases i.e. FIR No.39, dated 16.10.2023 registered under Sections 420, 467, 120-B IPC and 61 and 78 of the Excise Act at Police Station Nangal Bhaur, District Pathankot and another FIR No.102, dated 10.06.2022 registered under Sections 323, 341, 325, 201, 120-B, 148 and 149 IPC, in which he is on bail.

In the light of the above and considering the severity and gravity of the injuries attributed to the petitioner which specifically included injury on the head with danger to life, the appellant does not deserve the concession of anticipatory bail at this stage.

Dismissed.

14.03.2024

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Whether speaking/reasoned Yes
Whether reportable Yes

(SANDEEP MOUDGIL)
JUDGE