

JOGINDER SINGH

Versus

STATE OF PUNJAB

.....Petitioner

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. P.S. Sekhon, Advocate for the petitioner.
Mr. Athar Ahmed, DAG, Punjab.
Mr. Barjesh K. Sharma, Advocate for the complainant.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Section 438 CrPC, prayer has been made for grant of anticipatory bail to the petitioner in FIR No.19 dated 10.03.2024 registered under Sections 307 and 506 of IPC & Sections 27, 54 and 59 of Arms Act at P.S. Tappa Mandi, District Barnala wherein, the petitioner has been implicated against the allegations of having inflicted a fire-arm injury on the right thigh of the complainant.

2. Learned counsel for the petitioner submits that no bullet/empty was found at the place of incident and it is a case of non-repeated blows by the petitioner and thus, the petitioner deserves the concession of anticipatory bail especially when the injury inflicted was on non-vital part of body of the victim-complainant.

3. On the other hand, prayer made herein has been vehemently opposed at the instance of learned State counsel assisted by learned counsel for the complainant while submitting that as per the medical records an entry and exit wound has clearly been found on the

person of the victim-complainant and thus, the petitioner does not deserve the concession of anticipatory bail.

4. I have heard learned counsel for the parties and gone through the paper-book. I am unable to find substance in the submissions made by learned counsel for the petitioner.

5. In the present case, there is a clear-cut allegation against the petitioner of having inflicted fire-arm injury upon the person of victim-complainant which even finds prima facie corroboration from the medical records, there being an entry and exit wound found on the right thigh of victim. Moreover, the manner in which the offence has been committed, especially the nature of injury and the weapon of offence used therein, besides, the antecedents of the petitioner who is involved in three more cases though, having been acquitted in two; one based on a compromise; thus, ensuring free and fair investigation, I do not see any valid reason to exercise the discretion of granting anticipatory bail in favor of the petitioner.

6. In view of the aforesaid, the present petition stands dismissed.

02.04.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>