



CRM-M-16400-2024

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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-16400-2024

Date of decision: 22.10.2024

Ajay

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Naveen Bawa, Advocate
for the petitioner.

Mr. Kewal Singh, Addl.A.G. Punjab.

None for respondent No.2.

AMARJOT BHATTI, J.

Petitioner has filed the present petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.09, dated 21.01.2023, under Sections 323, 324, 341, 506, 148 and 149 IPC (Section 326 of IPC added later on) registered at Police Station Tibba, District Ludhiana.

2. As per facts of the case, Gurpreet Singh-complainant gave a statement that on 13.01.2023 at about 6.30 p.m. he had gone to the house of his friend Rohit Gohar. After some time, he along with his friend came out in the street on motorcycle. In the meantime, Ajay crossed them on e-rickshaw and abused them and a scuffle took place but the passersby stopped them. Thereafter, he came home with his friend. After sometime, a boy namely Gollu along with his companions started pelting stones and bricks towards the house of his friend Rohit Gohar. Mother of his friend came out who was beaten up by Gollu and his companions and damaged

the gate and house of Rohit Gohar. Thereafter, he called Gollu who told



him to come near the office of Bhola but they did not go there. He again called them to Shani Mandir where he along with 2-3 friends reached. Gollu and his friends Cheena, Raju Nepali and Ajay also reached there holding weapons in their hands. Raju Nepali caught hold of him and Gollu gave kirpan blow holding his hand towards back side of his head with the intention to kill him. Cheena gave kirpan blow towards his head but he warded off the blow by raising right arm. As a result, it hit on right wrist. Ajay also gave a kirpan blow which hit on his back. His friend Rohit Gohar and Ravi Kumar tried to rescue him and they were also given blows with kirpan. People started collecting there. On this, they fled away from the spot.

3. Learned counsel for the petitioner argued that Ajay was granted interim bail as per order dated 02.05.2024 and in pursuance of this order he has already joined the investigation. Allegations against him are false and without any basis. He is still ready to join the investigation as and when required.

4. Learned counsel representing State filed status report opposing the anticipatory bail filed by the petitioner. It is pointed out that Ajay joined the investigation on 08.06.2024 and was released on interim bail. However, he did not fully cooperate with the investigating agency. He did not disclose about the weapon i.e. kirpan which was used by him in the said occurrence. Other accused are yet to be arrested. It is prayed that anticipatory bail application filed by the petitioner may be declined.

5. I have considered the arguments and have gone through the record. Present petitioner Ajay is attributed specific role for causing injuries to the complainant and his friend Ravi Kumar. He was given



However, he failed to cooperate with the investigating agency. Alleged weapon of offence is yet to be recovered without which investigation is incomplete.

6. Considering the aforesaid factual position, I do not find it a fit case for grant of anticipatory bail, therefore interim bail stands vacated and his application is accordingly declined.

(AMARJOT BHATTI)
JUDGE

22.10.2024
monika

1. Whether speaking/ reasoned

:

Yes /No
2. Whether reportable

:

Yes /No