

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16488-2024
DECIDED ON: 05.04.2024

PARJESH KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Ravinav Chawla, Advocate
for the petitioner (through VC).

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.0005, dated 16.01.2024 (Annexure P-1), under Sections 308, 341, 323, 506, 148 and 149 IPC, registered at Police Station City 1 Sangrur, District Sangrur.

Learned counsel for the petitioner contends that there is a delay of 3 days in registration of the instant FIR and the only allegation qua the petitioner is having given *kirch* blow on the right elbow and right hand of Jasmel Singh apart from the blow given on the back side of head of Jasmel Singh, which are dangerous to life as is evident from medico legal report.

Notice of motion.

On the asking of the Court, Mr. Rajiv Verma, DAG, Punjab accepts notice on behalf of the respondent-State and submits on instructions from SI Sawarn Singh that the delay in lodging the FIR is not fatal considering the nature and number of injuries along with the manner in which they have been inflicted upon the victims and very rightly the

petitioner has been booked under Section 308 IPC and other provisions of Sections 506, 148 and 149 IPC.

Mr. Sparsh Chhibber, Advocate has put in appearance on behalf of the complainant and has filed Power of Attorney, which is taken on record.

In the aforesaid factual aspect, from a bare perusal of the FIR, there is no case made out for grant of anticipatory bail at this stage since in all eventuality the custodial interrogation of the petitioner is must particularly keeping in mind the weapon used i.e. *kirch* with which the petitioner has been specifically attributed having given serious injuries to Jasmel Singh and another victims, are yet to be recovered and various other factors which can only be got diverged only on custodial interrogation of the petitioner.

Hence, the same is being devoid of any merits and is dismissed.

05.04.2024
Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

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