

2024:PHHC:064917



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21241 of 2024(O&M)
Date of Decision: 09.05.2024

Pinder Singh @ Binder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Kamal Narula, Advocate
For the petitioner.

Mr. J.S. Dhaliwal, AAG Punjab.

KARAMJIT SINGH, J.

1. Prayer in this petition is for grant of anticipatory bail in case having FIR No. 23 dated 22.02.2024, registered under Sections 341, 323, 379-B, 148, 149 and 307 IPC and Sections 25/54/59 of Arms Act at Police Station Sadar Fazilka.
2. The allegations in nutshell are that on 20.02.2024 at 11:30 a.m. complainant Hardeep Singh and his friend Sunil Kumar were coming towards their village on a motor-cycle and in the way they were intercepted by petitioner Pinder Singh @ Binder Singh, Manish Kumar, Vansh, Des Singh, Raman Kumar and Gurmeet Singh who were travelling in car No. PB01D-7623 and then Raman Kumar raised *lalkara* and took out pistol and fired shot. Manish Kumar gave *kappa* blow on right leg of complainant. Present petitioner also gave *kappa* blow which hit on left leg of complainant, Desa Singh gave *kappa* blow which hit on right hand fingers of complainant

2024:PHHC:064917



while Vansh gave *kappa* blow on left knee and thereafter all the accused started giving kick blows and Desa Singh hit *kappa* on right wrist and when complainant and Sunil Kumar raised alarm, the accused persons sped away from there and while leaving they also took away wallet having Rs.6000/- and mobile phone belonging to complainant.

3. The counsel for the petitioner submits that the alleged occurrence took place on 20.02.2024 whereas the matter was reported to the police on 22.02.2024. It is further submitted that the petitioner is falsely implicated in the present case and no such injury was caused by the petitioner as is alleged by the complainant. It is further submitted that the petitioner is ready to join investigation with the police.

4. On the other hand the State counsel on instructions from ASI Kewal Krishan submits that petitioner and other accused snatched wallet and mobile phone of the complainant and at that time co-accused Raman Kumar used his firearm while petitioner who was armed with *kappa* also caused injuries on left leg of complainant. It is further submitted that recoveries of the snatched articles and weapon of crime are to be effected and that petitioner is required by the police for proper investigation of the case.

5. I have considered the submissions made by counsel for the parties.

6. As per FIR, the complainant was medico-legally examined on the date of occurrence i.e. 20.02.2024, and injury on his left leg attributed to petitioner, is described in his medico-legal report (MLR)

2024:PHHC:064917



7. Petitioner is facing grave charges to the effect that at the time of the occurrence his co-accused fired shot while he himself also caused injury to the complainant with the help of *kappa* and thereafter petitioner and other accused snatched wallet and mobile phone from complainant and his accomplices also caused various injuries to the complainant. The weapon used in commission of crime by the petitioner is still to be recovered and even otherwise offence punishable under Section 379 (B)(2) IPC is punishable with minimum sentence of ten years.

8. In light of the above, no ground is made out to grant concession of anticipatory bail to the petitioner. Consequently, the present petition is dismissed. However, any observation made hereinabove is not to be construed as expression of opinion on the merits of the case.

09.05.2024

Jiten

**(KARAMJIT SINGH)
JUDGE****Whether speaking/reasoned : Yes/No****Whether reportable : Yes/No**