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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-24659-2023
Date of decision:-08.05.2024

LOVEPREET SINGH @ GOPAL

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Ravi Malhotra, Advocate for the petitioner.
Mr. Japjot Singh, AAG, Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail in the following case :-

FIR No.	Dated	Sections	Police Station
259	15.10.2022	326-A, 307, 120-B IPC	Jamalpur, District Ludhiana

2. Brief facts of the case are that complainant/injured Jasvir Singh suffered statement that on 15.10.2022 he was in his shop at about 03:00 PM one lady with muffled face came to his shop and threw acid on him. In order to evade the attack, he raised his right arm and acid was sprinkled over his face and arm. He came out of his shop and raised hue and cry. His friends



Hawinder Vohra and Hapreet Singh took him to CMC Hospital for treatment. In his statement he has stated that attacker was sent by one Gopal with whom he was having strained relations, in order to kill him. Accordingly the FIR was registered and subsequently the challan was presented in Court, after conclusion of investigation the charges have since been framed against the petitioner and co-accused and they are facing trial.

3. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the present case. He submits that no specific role has been attributed to the petitioner and he was arrested on 29.11.2022, after completion of investigation charges have been framed as such he prays for grant of concession of bail to the petitioner.

4. Per contra, learned State counsel has opposed the bail application by referring to the reply dated 20.03.2024 by arguing that the is alleged to have instigated the co-accused to throw acid on the complainant with an intent to kill him but in the process, he sustained grievous injuries on his person. He submitted that the trial of the case is going on and it has come in the investigation from the statement of witness that the petitioner had accompanied the co-accused Chanda Devi to the shop of the complainant and thereafter said Chanda Devi had gone in the shop and poured acid upon the complainant. He submits that the petitioner has actively participated in the crime as such does not deserve concession of bail.

5. After considering the rival contentions and perusing the record it transpires that specific role is attributed to the petitioner of instigating co-

accused Chanda Devi to pour acid upon the complainant with an intent to kill him. It has came on record that petitioner has accompanied till up to the shop of the complainant and on account of co-accused throwing acid upon the complaint, he sustained grevius injuries. So considering the nature and gravity of the offence, no case is made out in favour of the petitioner for grant of regular bail at this stage, as a consequent, the petition is hereby dismissed.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

08.05.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |