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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-38101-2024
Date of Decision:-14.08.2024

JASPREET SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. C.M.Munjal, Advocate, for the petitioner.

Mr. Ankit Grewal DAG, Punjab.

Mr. Kashish Garg, Advocate for the complainant.

SANJIV BERRY, J (ORAL)

Learned counsel for the State has filed reply by way of affidavit dated 13.08.2024 of Deputy Superintendent of Police Sub-Division Mansa, District Mansa, the same is taken on record. Copy thereof, has been supplied to the counsel opposites.

2. By way of the present petition filed under Section 438 Cr.P.C the petitioner is praying for anticipatory bail in the event of arrest in FIR detailed as under :-

FIR No.	Dated	Sections	Police Station
20	15.03.2024	307, 324, 323, 148, 149, IPC (307 omitted and 326 IPC added)	Joga District Mansa



3. Learned counsel for the petitioner *inter alia* contends that the petitioner is innocent and has been falsely implicated in this case. He submits that during course of investigation the offence under Section 307 IPC has been omitted and the alleged injury attributed to the petitioner is on the left hand index finger. He submits that petitioner is having no other criminal case registered against him and is ready to join the investigation.

4. *Per contra*, learned State counsel assisted by learned counsel for the complainant has assailed these arguments by referring to the reply and contend that the petitioner is alleged to have caused 3 injuries with the help of sword with an intent to kill the complainant. They submit that the injuries No. 3,4 and 5 on the person of the complainant has been attributed to the petitioner out of which injury No.4 & 5 have been declared as grievous in nature caused with sharp edged weapon. The recovery of weapon is yet to be effected from the petitioner for which custodial interrogation of the petitioner is required. Hence, they prayed for dismissal of the petition.

5. After considering the rival contentions and perusing the record, it transpires that the instant FIR was registered against the petitioner and 15 unknown persons on the allegations of inflicting injuries to the complainant Armandeep Singh with the help of deadly weapons i.e. swords, gandasas and baseball bats with an intent to kill him. During course of submissions, offence under Section 307 IPC was mentioned in the FIR but the same was deleted vide DDR No. 38 dated 19.06.2024. A bare perusal of record would also reveal that the petitioner was named in the FIR and specific role has



been attributed to him of having caused three injuries on the person of complainant with sharp edged weapon i.e sword with an intent to kill the complainant. Two injuries out of the same have been found to be greivous in nature as per the medical information.

6. Considering the nature of offence and specific attribution to the petitioner, his custodial interrogation is required to recover the weapon used in the occurrence, as such, no case is made out in favour of petitioner for grant of relief of anticipatory bail. Therefore, finding no merit in the petition, the same is hereby dismissed.

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

(SANJIV BERRY)
JUDGE

14.08.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |