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

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Date of Decision:- 09.09.2024

Laxman Kumar

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sirat Sapra, Advocate and
Mr. Rajat Chopra, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

AMARJOT BHATTI, J.

1. Laxman Kumar has filed anticipatory bail under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 in FIR No.63 dated 09.05.2023 (Annexure P-1), under Sections 323, 341, 148 & 149 of IPC (Section 324 and 326 were added later on), registered at Police Station Sarabha Nagar, Ludhiana District Police Commissionerate Ludhiana.

2. As per the facts of the case, Suresh Singh complainant stated that he was to receive money deposited in a committee from Chandan Singh. On 17.04.2023, the complainant went to Chandan Singh to get his money back. When he reached in the street where Chandan Singh lives, he was standing there with his friends namely Balkar Singh, Sawan, Jodu and 6-7 other unknown persons. When he demanded back his money, they abused him and gave beating. He was given injury on his head with some sharp edged weapon. He was not feeling well, therefore, he did not lodge the

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report. Again on 01.05.2023, he was going to Barewal road when again he was given beating by Chandan Singh, Balkar Singh, Sawan, Jodu along with 5-6 unknown persons. They attacked him with sharp edged weapons. Chandan Singh gave blow on his left leg, Sawan also gave blow on his leg, other persons also attacked him and caused injuries on his person. He fell on the road and became unconscious. Some unknown persons took him to Civil Hospital for treatment.

3. Learned counsel for petitioner firstly raised the issue that he is never known by name Jodu. All the allegations levelled against him are false. No specific role is attributed to him nor there is any allegation that he was armed with a weapon. He is ready to join the investigation. Therefore, his anticipatory bail may be allowed.

4. Learned counsel representing State opposed the bail application. It is clarified that Laxman Kumar is also known by name Jodu as they are twins. His other brother is namely Ram. There is a joint statement dated 29.08.2024 clarifying his nick name as Jodu. Therefore, present petitioner is specifically named. In this case, complainant suffered 07 injuries, out of which there was fracture of right leg and said injury was declared as grievous. Other co-accused Chandan Singh and Sawan Rana were arrested. Present petitioner is yet to join the investigation. Challan has been presented against Chandan Singh and supplementary challan has been presented qua Sawan Rana. Present petitioner is intentionally evading his arrest. Therefore, he is not entitled to be released on anticipatory bail.

5. I have considered the arguments and have gone through the record. In the case in hand occurrence took place twice. As per the statement of Suresh Singh-complainant, firstly he was beaten up on

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17.04.2023 and he was again beaten up on 01.05.2023 and then the matter was reported to the police. As per Medico Legal Report, he suffered 07 injuries. Injuries No.1, 4 and 5 were caused with sharp edged weapon and injuries No.2, 3, 6 & 7 were caused with blunt weapon. On X-ray, there was fracture of right leg below knee. Present petitioner is yet to join the investigation and weapon of offence is also to be recovered.

6. Considering the specific allegations, he is not entitled to the concession of anticipatory bail and the same is accordingly declined.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly.

09.09.2024

Sunil Devi

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No

(AMARJOT BHATTI)
JUDGE