

229

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-45319-2024

Date of Decision:-30.09.2024

RAMANDEEP SINGH @ RAMMU AND ANOTHER

... PETITIONERS

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. P.K.S. Phoolka, Advocate, for the petitioners.

Mr. Surender Singh, AAG, Haryana

Mr. J.S. Grewal, Advocate for the complainant-respondent No.2

SANJIV BERRY, J (ORAL)

By way of the present petition filed under Section 438 of the Code of Criminal Procedure, the petitioners are praying for anticipatory bail in the event of arrest in FIR (Annexure P-1) detailed as under:-

FIR No.	Dated	Sections	Police Station
32	03.06.2024	324, 323, 34 IPC (326 enhanced later on)	Sadar Abohar, District Fazilka

2. Argument heard.
3. It is, *inter alia* contended by learned counsel for the petitioners



that the petitioners are innocent and have been falsely implicated in this case. He contends that no specific overt act has been attributed to the petitioners and even the injury allegedly found to be greivous in nature is on non vital part of the body. Hence he prays for grant of concession of bail to the petitioners.

4. *On the other hand*, learned State counsel assisted by learned counsel for the complainant referring to the reply submitted that there are specific allegations against the petitioner of having caused injuries on the person of complainant with axe and gandasa, and the recovery of weapons is yet to be effected from the petitioners, for which custodial interrogation is required, as such prays for dismissal of the petition.

5. After considering the arguments and perusing the record, it transpires that as per the allegations on 02.06.2024 complainant and his brother Gurmail Singh and son Hardeep Singh were present in their agricultural land where some construction work was going on, in the meanwhile, the accused persons armed with weapons caused injuries to the complainant and also gave beatings to Gurmail Singh and Hardeep Singh. The injured were shifted to the hospital. The complainant is stated to receive 3 injuries out of which 1 injury is declared as grievous in nature. From the perusal of record, it further transpires that there are specific allegations levelled in the FIR against the present petitioners of having caused injuries to the complainant with the help of axe and gandasa and the recovery of the weapon used in the occurrence is yet to be effected from the petitioners for which their custodial interrogation is required. Therefore, considering the

nature and gravity of offence, no case is made out in favour of the petitioner for grant of anticipatory bail in the present petition, the same 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

30.09.2024
Gyan

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