

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

CRM-M No.46918 of 2023
Date of decision: 31st January, 2024

Gurdeep Singh & another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Mohit Shukla, Advocate for the petitioners.

Mr. APS Tung, Dy. Advocate General, Punjab
for the respondent/State.

Mr. D.S. Randhawa, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners are seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.0285 dated 26.12.2022 under Sections 323, 324, 506, 34 of the IPC (Section 326 IPC added later on) registered at Police Station Samana, District Patiala.

2. Learned counsel appearing for the petitioners has submitted that on account of strained relations between the parties, they had been falsely implicated in the case and even the alleged injuries on the person of the complainant were evidently self-inflicted and fabricated so as to settle scores with the petitioners. It has also been submitted that the petitioners had been attacked by the complainant party and sustained injuries on their person.

3. Learned State counsel, at the outset, on instructions from ASI Jaswinder Singh has submitted that though it is a case of version and cross-version; the occurrence had taken place in a thoroughfare; the petitioner No.1, who was armed with a Sword and petitioner No.2, who was armed with an iron Faura, inflicted multiple injuries on the person of injured Ajaib Singh. It has been further submitted that the injury attributed to petitioner No.1, on the head of the injured, was opined to be grievous in nature inviting the mischief of Section 326 IPC.

4. Learned counsel for the petitioners has submitted that in the occurrence in question, injuries sustained by the petitioners were just simple injuries and complaints of pain.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. Since the parties are closely related, they had been referred to the Mediation and Conciliation Centre, however, as per report received, they were unsuccessful in settling the matter.

7. Be that as it may, there are serious allegations leveled against the petitioners of having actively participated in the occurrence in question and having inflicted multiple injuries on the injured, on account of some previous dispute between the parties. As per instructions received by the learned State counsel, the injured also had to undergo a surgical intervention for the injuries received. The submissions made by the learned counsel for the petitioners that there was likelihood of the injuries being fabricated, cannot prima facie be accepted.

8. The petition stands dismissed.
9. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

January 31, 2024
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No