



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

218

CRM-M-56116-2024

Date of decision: 26.11.2024

Lovepreet Singh @ Lovejeet Singh @ Love @ LappiPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vikas Gupta, Advocate, for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.39 dated 15.07.2024 under Sections 109, 118(2), 333, 351(2), 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023 registered at Police Station Verowal, District Tarn Taran.

2. A short reply by way of affidavit of Kamalmeet Singh, PPS, Deputy Superintendent of Police, Sub Division Tarn Taran, District Tarn Taran, has been filed on behalf of respondent-State. The same is taken on record.

3. On the last date of hearing the following submissions were made by the learned counsel for the petitioner:

“Learned counsel for the petitioner inter alia contends that the petitioner has been attributed an injury on the left arm of the injured complainant with a kirpan; the delay in not only lodging the FIR in question which is of three

weeks but even the injured being medico legally examined after eight days, points to a twisted version having been brought out against the petitioner.”

4. On being put to notice, learned State counsel on instructions from ASI Baljinder Singh has vehemently opposed the payer and submissions made by the counsel opposite. It has been submitted that the complainant was brutally attacked by the accused party including the petitioner, who was armed with a *Kirpan* ; the wrist of the complainant was partially severed. Soon thereafter, the complainant was moved to PGIMER, Chandigarh, where he was admitted on the day of occurrence itself on 24.06.2024 and was discharged only on 29.06.2024. Learned State counsel has further submitted that the injured complainant-Balwinder was remained unfit to get his statement recorded and that precisely is the reason why there had been delay in the registration of the FIR in question. Learned counsel has further drawn the attention of this Court to the allegations levelled in the FIR which reveals that other than the petitioner, there were about 12-13 other persons who too had participated in the crime in question. A prayer has therefore been made for dismissal of the present petition.

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

6. In the facts and circumstances as enumerated hereinabove, especially the role and injuries attributed to the petitioner and that too with a *Kirpan*, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail and the same is dismissed.

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.

26.11.2024.
anil

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No