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

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Date of Decision:- 27.05.2025

BALWANT SINGH

...Petitioner

Vs.

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. J.S. Thakur, Advocate for petitioner.

Mr. Amit Shukla, DAG, Punjab.

Mr. Rajat Dogra, Advocate for respondent No.2.

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition under Section 438 of Cr.P.C for grant of anticipatory bail in FIR No.80 dated 13.12.2022 under Sections 451, 323, 354, 34 and 324 of IPC and Sections 25 and 27 of Arms Act, 1959 registered at Police Station Jhander, District Amritsar Rural.

2. As per facts of the case, prosecutrix 'RK' gave her statement that she has done M.P.D. and a Boxer. She has taken a shop on rent from Bukhwinder Singh and is running business of food supplement in the name of Randhawa Nutrition. On 11.12.2022 at 5.15 pm, she was sitting in her shop when one young man entered the shop and started abusing her and also slapped her. In the meantime, two other young men also came inside the shop and started beating her. One of the boy was holding pistol like weapon



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and he gave 2/3 blows on her head with butt of pistol. He caught hold of her from her hairs and other young man gave kirpan blow which she warded off by raising her right hand. She received two kirpan blows on her hand and arm. She was dragged outside the shop. Her clothes were torn. They continuously abused her and gave her beating. On the alarm raised by her, many people gathered there and said persons managed to escape in their car along with their weapons.

3. Learned counsel for petitioner argued that he was granted interim bail by the Coordinate Bench vide order dated 14.12.2023. He has already joined the investigation. No recovery is to be effected from him. Alleged vehicle does not belong to him nor he was armed with any weapon. All allegations are false. It is prayed that his anticipatory bail may be allowed.

4. Bail application is opposed by learned counsel representing State of Punjab assisted by counsel for complainant. Detailed status report has been filed. It is pointed out that names of accused persons were clarified by the complainant by recording her supplementary statement on 16.12.2024. Present petitioner was armed with pistol and had given blows with the butt of pistol on her head. He along with other co-accused caused her injuries. Weapon of offence and the car used in the occurrence are yet to be recovered. Apart from the present FIR, petitioner is involved in three other FIRs i.e. No.65 dated 06.12.2019 under Sections 323, 324, 148 and 149, Police Station Verka, Amritsar City, FIR No.69 dated 21.12.2019 under Sections 336, 457, 380, 452, 427, 506, 148 and 149 of IPC read with Sections 25 and 27 of Arms Act, P.S. Verka, Amritsar City and FIR No.67 dated 21.11.2017 under Section 25 of Arms Act, P.S. Ghaniye Ke Bangar, Police District



Batala.

5. Learned counsel representing respondent No.2 pointed out that complainant is still receiving threats and she is being pressurized to withdraw her complaint.

6. I have considered the arguments and have gone through the record carefully. Even though petitioner was granted interim bail vide order dated 14.12.2023, petitioner did not cooperate with the investigating agency. Till date, neither the weapon has been recovered nor car used by him along with other co-accused has been recovered. Along with status report, copy of MLR of complainant is also annexed according to which she had suffered six injuries. On the contrary, complainant alleged that she is receiving threats from the present petitioner. In order to complete the investigation, recovery of said weapon and car is material.

Therefore, I do not find a fit case for grant of anticipatory bail and the bail application is accordingly declined. Interim bail already granted, vide order dated 14.12.2023, in favour of petitioner stands vacated.

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

(AMARJOT BHATTI)
JUDGE

27.05.2025

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Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No