

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

**Crl. Misc. No.M-22637 of 2015
Date of decision : 15.07.2015**

Gurbhej Singh and others

.....Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

Present: Mr. Jagjit Singh, Advocate
for the petitioner.

ANITA CHAUDHRY, J(ORAL)

The petitioners are seeking anticipatory bail in a complaint case filed by Kuldip Singh under Sections 326, 324, 323, 427, 447, 148, 149 IPC.

Heard.

The counsel for the petitioners contends that the FIR was registered by petitioner no.2 against six persons including the complainant of the present case. He urges that the complainant got a DDR recorded on the same day and the DSP had held an inquiry and had noted that the complainant was roaming freely and there was no injury on his body and later on he self inflicted the injuries to implicate the petitioners and the police had recommended cancellation of the DDR and thereafter, criminal complaint had been filed in which the

petitioners have been summoned to face trial. The counsel contends that the petitioners had filed anticipatory plea before the Additional Sessions Judge, Kapurthala and the petitioners were directed to appear before the Court within seven days and to move an application before the trial Court and the trial Court had been directed to decide the application on merits on the same day and interim protection was granted but the application was dismissed by the trial Court and the arrest of the accused was stayed for three days and accordingly the petitioners again filed a bail plea before the Court had declined the application. He urges that the Additional Sessions Judge has dismissed their second application vide order Annexure P-4.

Learned counsel for the petitioners contended that the allegations were that one of the petitioners had attacked the complainant with a sword and the injury fell on the arm but the complainant was roaming freely in the village and later the injury was engineered to implicate the petitioners.

The counsel was asked to refer to the MLR and show when the complainant was admitted in the hospital. The counsel contended that the copy of the MLR had not been placed on file.

Both the Courts below had examined the case of the petitioners and had rejected the prayer. The most important document has been kept away from the Court. The copy of the DDR has also not been filed. There are allegations that injuries were inflicted under Section 326 IPC. Even the summoning order has not been placed on file. The petitioners have delayed the complaint case by filing repeated applications. No case for anticipatory bail is made

out.

The petition is dismissed in limnie.

15.07.2015
sunil

(ANITA CHAUDHRY)
JUDGE