

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

**CRM-M-22820 of 2015
Date of decision : 16.07.2015**

Mehar Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Vivek Chauhan, Advocate
for the petitioner.

DARSHAN SINGH,J(Oral)

1. The present petition has been filed under Section 438 Cr.P.C for grant of the anticipatory bail to the petitioner in case FIR No.44 dated 24.05.2015, under Sections 326, 324, 323, 34 of Indian Penal Code, registered at Police Station Chola Sahib, District Tarn Taran.

2. As per the prosecution allegations, on 17.05.2015, petitioner Mehar Singh and his co-accused Kirat Singh and Manjit Kaur caused injuries to complainant Mahan Singh an old man of 65 years of age. Petitioner Mehar Singh was armed with a sword and gave the sword blow below the right knee of the complainant.

3. Learned counsel for the petitioner contended that the injury attributed to the petitioner is not on the vital part of the body, as the same is blow the right knee. He further contended that actually, the petitioner

has been falsely implicated in this case and no such incident has ever taken place. The complainant is an influential person having political influence. He contended that petitioner is ready to join the investigation.

4. I have given thoughtful consideration to the aforesaid contentions, but those are without any substance.

5. There are specific allegations that at the time of occurrence, the petitioner Mehar Singh was armed with a sword and he has gave the sword blow below the right knee of the complainant. As per the medical evidence, the injury attributed to the petitioner has been declared as grievous in nature.

6. It is settled principle of law that the anticipatory bail is an extra ordinary privilege. The petitioner has to make out a special case in order to claim the concession of the anticipatory bail. But, in the instant case, there are specific allegations of causing grievous injury to the complainant by the petitioner with a sword. The said weapon of offence is yet to be recovered. So, the petitioner has failed to make out any exceptional case to claim the extra ordinary privilege of the anticipatory bail.

7. Thus, keeping in view of my aforesaid discussion, the present petition is without any merits and the same is hereby dismissed.

16.07.2015

s.khan

**(DARSHAN SINGH)
JUDGE**