

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

(209)

CRM-M-31584-2015

Decided on: September 24, 2015.

Shoqat Masih @ Ashok

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

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

Mr. P.S. Bajwa, DAG, Punjab.

M.M.S. BEDI, J (ORAL)

Petitioner seeks concession of pre-arrest bail in a case registered at the instance of Madan Masih alleging that the petitioner as a member of unlawful assembly, armed with 'datar', trespassed into the house of the complainant and inflicted injury on the person of complainant and his daughter. The petitioner has been attributed a 'datar' blow hitting the left side of forehead, above the left eye, of the complainant, on account of a previous enmity between the parties.

Learned counsel for the petitioner submits that on account of enmity with the petitioner, the petitioner has been falsely implicated in this case and injury attributed to the petitioner is neither a grievous injury nor the same had been caused by the petitioner.

I have heard learned counsel for the petitioner and I am of the considered opinion that the allegations of inflicting injury with 'datar' on the forehead just above the eye is a serious allegation.

No extra-ordinary exceptional circumstances exist to grant the concession of pre-arrest bail to the petitioner.

This petition is disposed of with a direction that the trial Court shall expeditiously dispose of the application of petitioner for regular bail after he surrenders. However, it is observed that nothing said in this order will prejudice the right of the petitioner to seek concession of regular bail by surrendering before the Illaqa Magistrate or before the investigating officer.

This order will not in any manner affect the merits of the case.

(M.M.S. BEDI)
JUDGE

September 24, 2015
harsha