

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

Crl. Misc. No.M-32705 of 2015

Date of Decision: 24.09.2015

Sandip Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
- 2. To be referred to reporters or not ? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest ? (Yes/No)**

Present:- Mr. Arnav Sood, Advocate
for the petitioner.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.98 dated 13.08.2015 under Sections 323, 324, 341, 354, 354-C, 506, 120-B/34 IPC and Section 326 IPC, which has been added later on at Police Station Bullowal, District Hoshiarpur.

Learned counsel for the petitioner submits that there was a dispute between the parties and the petitioner has falsely been implicated in the case. The injury which falls under Section 326 IPC has been attributed to co-accused of the petitioner, who has been granted bail by the lower Court. Learned counsel also submits that the allegations of commission of offence under Sections 354 and 354-C IPC have been mentioned just to make the offence more serious. Petitioner has already

joined investigation and is still ready to join the same. Learned counsel also submits that it is a case of version and cross version as both the sides have received injuries.

Heard the arguments of learned counsel for the petitioner and have also perused the allegations in the FIR as well as other documents on the file.

Not only the allegations of causing injuries are there but the allegations with regard to Sections 354 and 354-C of the IPC are also there. As per allegations in the FIR, the present petitioner entered into bathroom, where, the daughter of the complainant was taking bath. Earlier also, a complaint was made against the petitioner and the petitioner apologized for his behaviour before the *Panchayat*. The conduct of the petitioner is apparent not only from the allegations in the FIR but from earlier complaint also. Simply by saying that the interim bail has been granted to co-accused of the petitioner by the lower Court but it is a case of grievous injury and the allegations under Sections 354 and 354-C IPC are also there which shows the conduct of the petitioner and the same has also been reflected in the complaint made against him. Furthermore, the petitioner himself has admitted and has tendered his apology before the *panchayat*. This conduct was also in the knowledge of the teachers of the school, where the daughter of the complainant is studying.

Keeping in view the nature of allegations and conduct of the petitioner, he is not entitled for the concession of anticipatory bail.

The petition is accordingly dismissed.

24.09.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE