

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

CRM-M-6182-2015 (O&M)

Date of decision: 20.4.2015

Baljinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS.JUSTICE SNEH PRASHAR

Present: Mr.HK Brinda, Advocate for the petitioner

SNEH PRASHAR, J.

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought pre-arrest bail in case FIR No.163 dated 15.11.2011, registered under Sections 323, 324, 326, 148, 149, 341 of the Indian Penal Code (Section 326 IPC added later on) at Police Station Kurali.

It is submitted by learned counsel for the petitioner that the injury attributed to the petitioner i.e. knife blow on the back of the injured is simple in nature. He further submits that earlier on investigation, the complaint was found to be false and a cancellation report was filed by the police. Subsequently, on filing of protest petition by the complainant, the matter is being reinvestigated. The other co-accused have already been enlarged on bail by this Court as well as learned trial Court.

Heard the submissions made by learned counsel for the petitioner.

The petitioner has been specifically named in the First Information Report lodged by the injured-complainant. He gave knife blows on the back of the injured. The injured also suffered injury on phalanx of left finger, which is grievous in nature. After obtaining doctor's opinion, the offence under Section 326 IPC has been added. The weapon of offence is yet to be recovered. Keeping in view the nature of injuries suffered by the injured and the fact that the weapon of offence is yet to be recovered, in considered opinion of this Court, the petitioner is not entitled to grant anticipatory bail.

Dismissed.

20.4.2015
gsv

(SNEH PRASHAR)
JUDGE