

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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**CRM-M-5015-2016 (O&M).
Decided on: April 5, 2016.**

Umed

.. Petitioner(s)

VERSUS

State of Haryana

.. Respondent(s)

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

*** * ***

PRESENT Mr.Neeraj Yadav, Advocate, for the petitioner.

Mr.C.S.Bakshi, Addl. A.G., Haryana.

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

The petitioner is alleged to have tried to over run his Alto Car over Omwati wife of complainant Roshan Lal with an intention to kill her. After this accident, Omwati and daughter in law of the complainant had allegedly raised noise leading to an altercation and assault.

Counsel for the petitioner submits that it is a case of accident which is being given colour of an attempt to cause hurt to the injured. He has argued that all the co-accused of the petitioner are on regular bail.

Mr.Gopal Sharma, Advocate, has intervened on behalf of the complainant to oppose the application for pre-arrest bail.

With the assistance of State counsel as well as ASI Satybir Singh, I have gone through the police file and find that the statements of Omwati and Roshan Lal, recorded by the police hitting Omwati with car driven by the petitioner are indicative of the intention to cause injury. The medical record indicates that Omwati has suffered fracture of the left femer. The circumstance that the co-accused of the petitioner have been granted concession of regular bail may constitute a good ground for regular bail to the petitioner but no extra ordinary exceptional circumstances exist for the grant of concession of pre-arrest bail to the petitioner.

The petition is dismissed without prejudice to the right of the petitioner to seek concession of regular bail in accordance with law.

**(M.M.S. BEDI)
JUDGE**

**April 5, 2016.
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