

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

CRM No.M-1818 of 2017 (O&M)

Date of Decision: 01.03.2017

Harinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. HPS Ishar, Advocate for the petitioner.

Ms. Harpreet K. Athwal, DAG, Punjab.

....

TEJINDER SINGH DHINDSA.J.

Petitioner seeks concession of pre-arrest bail in case FIR No.87, dated 10.11.2016, under Sections 326/34 IPC, registered at Police Station Singh Bhagwantpura, District Rupnagar.

FIR came to be registered on the statement of Gurcharan Singh in relation to an occurrence that took place on 03.11.2016. The specific attribution to the petitioner is of being armed with a kirpan and having inflicted a blow on the calf of his left leg.

As per medical opinion, the injury attributed to the petitioner has been opined to be grievous in nature.

Counsel appearing for the petitioner would vehemently contend that in the FIR itself, it has been recorded that the I.O. at the initial stage had observed the entire occurrence to be suspicious. That apart, counsel for the petitioner states that it is a case of false implication as the petitioner was a witness in a separate criminal proceeding i.e. in FIR No.77 dated 10.10.2016, under Sections 307/302/148/149 IPC and Section 27 of the Arms Act, registered at Police Station Bhagwantpura and it is only to pressurize and

intimidate him that a false FIR has been registered against him. Counsel further submits that the weapon used in the occurrence has already been recovered.

Having heard counsel for the petitioner at length, this Court is of the considered view that the petitioner does not deserve the concession of pre-arrest bail.

The allegations made by the complainant stand corroborated by the medical record. The specific injury attributed to the petitioner is of being armed with a sharp edged weapon and having inflicted a grievous injury.

The plea of false implication does not inspire any confidence. Counsel has not been able to refer to or advert to any material or averments in the petition to show that the complainant in the present case is in any way connected with FIR No.77 dated 10.10.2016.

That apart, learned State counsel has apprised the Court that the petitioner is a history sheeter and is involved in five other criminal proceedings and out of which even though he stands acquitted in one, two cases are still under investigation and in two challan has been presented and the petitioner is facing trial.

For the reasons recorded above, prayer made in the present petition is declined.

Petition is dismissed.

01.03.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |