

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

**CRM-M-20804-2017
Date of decision-19.07.2017**

**Rajesh Kumar
Vs.
State of Punjab**

**...Petitioner

...Respondent**

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. B.D.Rana, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This second petition under Section 438 of the Criminal Procedure Code has been filed for grant of anticipatory bail to the petitioner in FIR No.31 dated 23.01.2017 registered under Sections 323, 341, 452 and 313 read with Section 34 of the Indian Penal Code (in short 'IPC') at Police Station Zirakpur, District Mohali, Punjab.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The incident took place on 22.01.2017 when the complainant and his wife entered his house armed with gandasi attacked on petitioner and his family members. He further contends that the complainant party was the aggressor and the petitioner had received more injuries than the complainant.

I have heard learned counsel for the petitioner and have gone through the case file.

A bare perusal of the FIR shows that petitioner is the main accused and he had caused injuries to the complainant and his wife with the gandasa on the vital part. Otherwise also, the MLR of the petitioner has not

been produced on record. This is the second bail petition filed by the petitioner and the first one was dismissed vide order dated 19.05.2017 by passing a detailed order. No fresh favourable circumstances are made out in favour of the petitioner. Instead of surrendering to the process of the Court after dismissal of his first application for grant of anticipatory bail, the petitioner chose to file the instant application.

Accordingly, the application for grant of pre-arrest bail stands dismissed.

Anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(JITENDRA CHAUHAN)
JUDGE

July 19, 2017
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No