

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

CRM No. M-22809 of 2017.

Date of Decision: 01.09.2017.

Akshay and another

... Petitioners

Versus

State of Haryana

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Sunil Kumar Rana, Advocate,
for the petitioners.

Ms. Mahima Yashpal, AAG Haryana.

Mr. Parminder Singh, Advocate,
for the complainant.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 438 the Cr.P.C seeking anticipatory bail in case FIR No.187 dated 11.05.2017, registered under Sections 323, 324, 325, 326, 148, 354-A and 506 read with Section 149 IPC at Police Station Butana, District Karnal.

It is contended that the petitioners have been falsely implicated in the present FIR. The grievous injury has been attributed to the co-accused (non-applicant) who are in custody. It is further contended that the question of sharing common object by the petitioners is debatable. The petitioners are stated to be of tender age.

On the other hand, the learned State counsel submits that the petitioners were members of the unlawful assembly. They have actively participated in the occurrence. Petitioner Akshay has caused injury with gandasi whereas, petitioner Mukesh used iron rod to inflict injuries to Balkar Singh.

Heard.

The MLRs of injured Balbir Singh, Chatar Singh, Balkar Singh and Bhupinder are taken on record as Mark A to D. Petitioner Akshay is alleged to have caused injury on the person of Balkar Singh, Chatar and Balbir Singh with gandasi whereas, petitioner Mukesh was armed with iron rod and inflicted injuries to Balkar Singh. The injured were inflicted the following injuries:-

Balbir Singh

- (i) Incised Wound of 4.0 x 0.3 cm.
- (ii) Incised Wound of size 4.5 cm x 0.4 cm
- (iii) Incised wound of size 3.5 x 0.3 cm
- (iv) Amputated right thumb
- (v) Amputated first finger

Chatar Singh

- (i) Lacerated wound size 2.2 cm x 0.3 cm
- (ii) Lacerated wound size 2.3 x 0.4 cm
- (iii) Diffused swelling
- (iv) Abrasion size 1.5 cm x 0.3 cm
- (v) Superficial abrasion of size 1.5 cm x 0.2 cm
- (vi) A small abrasion of size 1.00 x 0.5 cm

Balkar Singh

- (i) Incised wound of size 5 x 0.4 cm
- (ii) Superficial abrasion of size 1.0 x 03. cm

Bhupinder

- (i) Incised wound of size 3 x 0.3 cm

Keeping in view the gravity of the offence and nature/seat of the injuries, this Court feels that no case for grant of concession of anticipatory bail is made out at this stage. Consequently, the petition is dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

01.09.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No