

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

201

Date of Decision: 17.11.2017.

(1) CRM-M-28018-2017

Amandeep alias Anu		Petitioner.
	Versus	
State of Punjab		Respondent.

WITH

(2) CRM-M-38981-2017

Sudesh Kumar		Petitioner.
	Versus	
State of Punjab		Respondent.

AND

(3) CRM-M-39024-2017

Som Nath		Petitioner.
	Versus	
State of Punjab		Respondent.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Gulzar Mohammad, Advocate for the petitioner.
Mr. A.S. Sandhu, Additional Advocate General, Punjab.
Mr. Anupam Bhardwaj, Advocate for the complainant.

Ramendra Jain, J.(Oral)

Through these three petitions under Section 438 of the Code of Criminal Procedure, prayer has been made for grant of anticipatory bail to the petitioners in case F.I.R. No.53 dated 07.03.2017 registered under Sections 306 read with Section 34 of the Indian Penal Code (for short, 'IPC') at Police Station G.R.P., Jalandhar, District Jalandhar.

Learned counsel for the respondent-State contends that the petitioners have joined the investigation. However, learned counsel for the

complainant has opposed the anticipatory bail to the petitioners, namely, Amandeep alias Anu, Sudesh Kumar and Som Nath, on the ground that after getting ad-interim relief of anticipatory bail, petitioners Som Nath and Sudesh Kumar along with father of petitioner Amandeep alias Anu gave beatings and caused temporal bone fracture on the head of the complainant on 04.11.2017. Consequently, an F.I.R. No.235 dated 05.11.2017 under Sections 323, 341 and 506 IPC has been registered, in which Section 325 IPC has also been added now after receipt of the opinion of the doctor.

Learned counsel for the petitioner, refuting the above submissions of learned counsel for the complainant, submitted that a false F.I.R. has been got registered just to prejudice this Court. The petitioners have joined the investigation and are no more required for any custodial interrogation.

Considering over all facts and circumstances, this Court is of the opinion that the petitioners do not deserve the concession of anticipatory bail as they have violated the conditions specified under Section 438(2) Cr.P.C., after getting the relief of ad-interim bail inasmuch as no person would falsely implicate anyone by causing a fracture in his own temporal bone.

In view of the above, the order dated 08.09.2017 passed in CRM-M-28018-2017 and order dated 13.10.2017 passed in CRM-M-38981-2017 & 39024-2017 are hereby recalled. All the aforementioned three petitions are dismissed.

(RAMENDRA JAIN)
JUDGE

17.11.2017
jitender sharma

Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No