

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

CRM No. M-39338 of 2016.

Date of Decision: 16.02.2017.

Robert Masih @ Rubby

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. G.S. Verma, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by HC Gurminder Singh.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 438 the Cr.P.C seeking anticipatory bail in case FIR No.223 dated 21.09.2016, registered under Sections 323, 324, 326 and 148 read with Section 149 IPC at Police Station Shimlapuri District Ludhiana.

It is contended that none of the injuries caused by the petitioner was found dangerous to life. In fact the present FIR is counter-blast of DDR which was lodged by co-accused Vipin Kumar against the complainant party.

On the other hand, the learned State counsel submits that the petitioner along with his co-accused waylaid the complainant. The petitioner was armed with iron rod whereas, the co-accused, who were four in number, were armed with iron rods, baseball bats etc. They

encircled the complainant and the petitioner tried to inflict iron rod blow on the head of the complainant. However, the same hit on the palm of his right hand as the complainant raised his hand to ward off the attack. The petitioner gave two more blows on the back of the complainant. The complainant fell on the ground and all the accused indiscriminately caused injuries to him.

Heard.

In the incident, the complainant suffered as many as nine injuries. The injury on the palm of right hand which is attributed to the petitioner has been declared grievous in nature. Therefore, no case for grant of concession of anticipatory bail is made out. Consequently, the petition is dismissed.

16.02.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

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