

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

Sr. No.202

CRM-M No.45132 of 2016

Date of decision: 20.01.2017

Abhinav Sharda

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Shiv Kumar, Advocate,
for the petitioner.

* * *

DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in FIR No.55 dated 12.09.2016, under Sections 323/324/148/149 and Section 326 IPC, registered at Police Station Talwara, District Hoshiarpur.

As per the FIR, the complainant was called to the place of occurrence by co-accused Happy for compromise talks with the petitioner but when he reached there, the petitioner alongwith others inflicted as many as six injuries upon him out of which two injuries are attributed to the petitioner. One of the six injuries is a grievous injury being a bone deep sharp cut wound.

The details of the injuries suffered by the complainant as per the MLR are reproduced for reference:-

<i>Sr. No.</i>	<i>Injuries</i>	<i>Marked</i>	<i>Injury Number</i>
1	4 centimetre x 2 centimetre incised wound present on right side of neck 1.5 centimetre below injury number 3 Margins of the wound clean cut. Fresh bleeding present.	Yes	6
2	Incised wound having size 2 centimetre x 1 centimetre present on right eyebrow at medial and margins of the wound found clean cut. Fresh bleeding present.	Yes	1
3	5 centimetre x 1.5 centimetre incised wound present on right side of face at cheek. Wound is skin deep. Margins of the wound found clean cut. Fresh bleeding present.	Yes	2
4	4.5 centimetre x 1.5 centimetre incised wound present on right side of neck. Margins of the wound found clean cut. Fresh bleeding present. Wound is skin deep.	Yes	3
5	1.5 centimetre x 0.4 centimetre incised wound present on left ear pinna at it lobe. Margins of the wound found clean cut. Fresh bleeding present.	Yes	4
6	10 centimetres x 5 centimetre incised wound present on right side of fore arm on its back and medial aspect of its lower one third. Margins of the wound found clean cut. Fresh bleeding present. Wound is found bone deep.	Yes	5

The injuries attributed to the petitioner are on the forehead and neck of the complainant. The weapon alleged to have been used by the petitioner is a datar.

Learned State counsel submits that on the application made by the petitioner's mother, enquiry was held by the ASP, Sub-Division, Dasuya, District Hoshiarpur but in that too nothing favourable qua the petitioner was found. It is further submitted that the weapons used in the afore-referred occurrence are yet to be recovered. Out of the five accused, only one Ajay has been granted the benefit of anticipatory bail and four others including the petitioner inspite of efforts made by the police are evading arrest.

In view of the above, without commenting on the merits of the matter, I do not consider the present case to be a fit case for the grant of concession of anticipatory bail.

Dismissed.

Nothing observed herein above shall be considered to be an expression of opinion by this Court on the merits of the case.

(DEEPAK SIBAL)
JUDGE

January 20, 2017
Jyoti 1

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No