

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

**CRM No.M-46376 of 2018 (O&M)
Date of Decision: November 20, 2018**

Ashish Katoch

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.I.P.S.Kohli, Advocate
for the petitioner.

Ms.Monika Jalota, DAG, Punjab
for the respondent-State.

INDERJIT SINGH, J.

CRM No.40820 of 2018

The application is allowed, subject to all just exceptions.

Annexure P-10 is taken on record.

CRM No.40821 of 2018

For the reasons mentioned in the application, the same is allowed. The FIR number in the head note as well as in prayer clause be read as FIR No.119 dated 17.09.2018 instead of FIR No.191 dated 16.09.2018.

CRM No.M-46376 of 2018

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.119 dated 17.09.2018 under Sections 323, 353 and 186 IPC, registered at Police Station Cantt. Jalandhar.

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

From the record, I find that as per the FIR, police party headed by ASI Amarjit Singh, complainant stopped the vehicle driven by present petitioner on receiving information that a drunkard person is driving the car in zig-zag manner. When vehicle was stopped by the police party, then, the accused said that his family member is a police officer. He made call to that person and asked the complainant to talk with him and that person, refused to disclose his identity. The complainant brought the facts regarding health and situation of accused in the knowledge of that person. Thereupon, present petitioner came out of his car and started arguing with the complainant and also started giving injuries to him and gave fist blow on his nose. It is also in the FIR that when complainant tried to catch the accused, he gave bite on his right thumb and arm and also gave fist blows on the face of the complainant and ran towards the fields.

The perusal of the petition itself shows that petitioner has admitted that he has given blows but says in his self-defence.

Keeping in view the facts and circumstances of the present case, serious allegations against the petitioner that he obstructed the police party from discharging their duties and also in view of the fact that petitioner caused injuries to ASI Amarjit Singh, complainant, no ground is

made out for grant of anticipatory bail to him.

Therefore, finding no merit in the present petition, the same is dismissed.

However, nothing stated above, shall constitute my opinion on merits of the case.

November 20, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No