

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-4250 of 2019(O&M)
Date of Decision: 27.02.2019

Ramesh Kumar		...Petitioner
	Versus	
State of Punjab		...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: - Mr. Ramesh Sharma, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab

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HARINDER SINGH SIDHU, J.

This is a petition for grant of anticipatory bail to the petitioner in case FIR No. 106 dated 06.12.2018 registered at Police Station Bahavwala, District Fazilka, for the offence under Sections 323 and 326 read with section 34 IPC.

The allegation in the FIR lodged on the statement of one Gagandeep son of Jai Karan was that on 07.11.2018 at about 8.30 PM he was standing near Baba Ram Dev Temple. His friend Jagdish Kumar @ Jagga, whose house is situated next to the temple, also came there. Both of them started bursting crackers. In the meantime, Ramesh Kumar (petitioner) and Pritam Kumar who were going on their motorcycle started abusing the complainant. The complainant apologized to the accused and they went away. When the petitioner was going towards his house, Ramesh Kumar (petitioner) carrying a toki, Pritam, co-accused carrying an iron rod accompanied by Jagdish son of Munshi Ram came there. Pritam Kumar raised a lalkara, Ramesh Kumar gave two blows of toki on his right eye, as a result of which, his right eye got dislodged from the socket.

It was stated in the FIR which was lodged on 06.12.2018 as earlier talks of compromise was going on but had not materialised.

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Learned State counsel, on instructions from ASI Iqbal Singh, states that on account of the injuries caused by the petitioners, eye of the complainant has been permanently damaged.

Looking to the seriousness of the allegation, I do not find this to be a fit case for grant of anticipatory bail to the petitioners.

The petition is consequently dismissed.

February 27, 2019
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(HARINDER SINGH SIDHU)
JUDGE

Whether speaking/ reasoned:
Whether Reportable:

Yes
Yes/No