

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8147-2019

DATE OF DECISION:-22.02.2019

DEVENDER AND ANR.

...PETITIONERS...

V.

STATE OF HARYANA

...RESPONDENT...

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Rakesh Dhiman, Advocate,
for the petitioners.

RAMENDRA JAIN, J. (ORAL)

Prayer in this petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail to the petitioners, in case, FIR No.18 dated 16.01.2019, registered under Sections 323, 325, 452, 34 and 120-B IPC at Police Station Khaidki Daula, District Gurugram.

According to the prosecution, in the intervening night of 15/16 January 2019, 3/4 unidentified persons entered the house of the complainant and caused various injuries on his nose and eyes. As a result thereof, nose of the complainant got fractured and his left eye was injured, on account of which, he is not able to see properly. Co-accused Baljeet Singh was named by the complainant on the basis of his suspicion, who on arrest, disclosed the name of the petitioner. Co-accused Baljeet Singh was arrested.

Learned counsel contends that petitioners are not named in the

FIR. As on date there is no document on the file, from which, it can be

gathered that petitioners had also associated with Baljeet Singh while causing injuries to the complainant on the alleged date and time. The petitioners are innocent. They have falsely been implicated in the instant case. All the offences are bailable. Co-accused has already been granted bail. Petitioners are ready to join the investigation. Nothing is to be recovered from the petitioners.

Having given thoughtful consideration to the submission made by learned counsel for the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners, inasmuch as, they have committed heinous crime of causing injuries, fracture to the nose of the complainant and made him almost blind in the night time by lurking house-trespass. Sections 325 and 452 IPC are non-bailable. Therefore, custodial interrogation is required to know their modus operandi and motive to cause injuries along with their co-accused Baljeet Singh.

Dismissed.

22.02.2019

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(RAMENDRA JAIN)
JUDGE

whether speaking/reasoned:

Yes/No

whether reportable:

Yes/No