

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27315-2019

Date of Decision: 12.07.2019

Lakhbir Singh

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Tarun Sharma, Advocate,
for the petitioner.

Mr. Ravi Partap, A.A.G. Haryana.

Mr. Surya Gautam, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, the petitioner seeks the concession of anticipatory bail upon him having been arraigned as an accused for the alleged commission of offences punishable under Sections 148/149/323/452/506 IPC (Section 325 was added later on), upon FIR No. 71 dated 22.05.2019 having been registered against him at Police Station Babain, District Kurukshetra.

Notice of motion having been issued, learned State counsel, as also counsel for the complainant, have appeared.

Upon query to learned State counsel, he has produced in Court today a medico legal report in respect of the injury on the complainant, Surinder, showing that on the chest there is a stab wound shown, though the death of it was not determinable at that stage.

Learned counsel for the petitioner submits that there is no incised wound and the petitioner allegedly having attacked the complainant with a '*Sua*' obviously the whole story is concocted.

Counsel for the complainant and counsel for the State naturally oppose the aforesaid contention, stating that it is a stab wound and therefore it does not necessarily need to be an incised wound.

Having considered the matter, seeing the allegations against the petitioner, as also the fact that the injury on the chest of the complainant is seen to be corresponding with the attribution to the petitioner as regards the attack of the complainant, with an incision not necessary (as opposed to a puncture), if the sharp weapon is not moved on the body, without making any comment on the actual merits of the case for or against the petitioner, as regards the question of granting anticipatory bail, in my opinion he does not deserve such concession.

Consequently, this petition is dismissed.

July 12, 2019
nitin/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

Yes