

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

CRM-M No. 39845 of 2019

Date of Decision:-27.09.2019

Rohit Tomar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Kamal Choudhary, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

Mr. Anand Bhardwaj, Advocate
for the complainant.

MANOJ BAJAJ J.(Oral)

Petitioner-Rohit Tomar has filed the present petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.380 dated 25.7.2019, under Sections 307, 323, 324, 506 IPC, registered at Police Station City Palwal, District Palwal.

The FIR was registered on the statement of complainant Yash Tiwari, wherein he alleged that on 24.7.2019 at about 7.50 AM he alongwith his friend Narender went to Gym at Power House Gym, Kalyan Enclave, where his another friend Parshant met them. As there was lot of crowd in the gym, they went for a walk in gali near Hari Krishna Dhaba. In the meantime Rohit came there. The complainant demanded his Rs.3,000/-

from Rohit, which were given as loan by him, on which Rohit got infuriated and attacked him with a knife with an intention to kill him. He caused four injuries with knife on his person. On these allegations, the FIR was registered.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case. According to him, the injuries suffered by the complainant were not dangerous to life and Section 307 IPC was not at all attracted. He has invited the attention of the Court to the opinion of the Board of Directors, delivered on 30.08.2019 (Annexure P-2). As per the said report, the injuries sustained by the petitioner were simple in nature.

On the other hand, the prayer is opposed by learned State counsel, who is assisted by ASI Sanjay Kumar. According to the State counsel, the petitioner was specifically named, who was armed with a knife and caused injuries to the victim.

After hearing learned counsel for the parties, this Court does not find any ground to extend the extra-ordinary concession of pre-arrest bail to the petitioner in view of the allegations made in the FIR, wherein he was named and alleged to have caused injuries to the complainant.

The petition is dismissed.

September 27, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No