

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

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CRM-M-43883 of 2019

Date of decision: 17.10.2019

Amit Gujjar

... Petitioner

versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.S.S.Jattan, Advocate,
for the petitioner

...

AMOL RATTAN SINGH, J. (Oral)

Looking at the allegations against the petitioner, even though learned counsel for the petitioner has vehemently argued that there was no injury caused with a sharp edged weapon and only blunt weapon injuries were found in the MLR of the complainant, it is also seen that after notice was issued in the petition filed under Section 438 of the Cr.P.C. before the learned Additional Sessions Judge, the finding was that the petitioner is a habitual offender.

Though that would not be any reason to deny him bail if the person is not actually found to be involved in the commission of the crime in question, but with him having been named by the complainant himself as one of those who had attacked him, whether the petitioner actually caused an injury with a sharp edge of any weapon or not is immaterial, at least for the purpose of granting or refusing anticipatory bail.

Consequently, without making any further comment on the

actual merits of the case, the petition is dismissed.

17.10.2019
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No