

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

CRM-M No.45890 of 2019 (O&M)

Decided on:

Bunty @ Balbir Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Arvind Mittal, Advocate
for the petitioner.

Mr. Jagmohan Ghuman, DAG, Punjab.

Mr. Amitabh Tewari, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.66 dated 29.05.2019 registered under Sections 323, 324, 307, 427, 148, 149 IPC at Police Station Nurpur, District Roopnagar.

Counsel for the petitioner has submitted that as per the allegations in the FIR, on 18.05.2019, the daughter-in-law of the paternal aunt of the complainant namely Pooja was molested by Parminder Singh @ Manu and in this regard, on 28.05.2019 in the evening, a Panchayat was convened in village Janj Ghar Taparia for effecting the compromise between the parties but the same was not succeeded and thereafter, an altercation has started between the two parties and 15-16 persons attacked the complainant party. It is further submitted that as per the allegations in the FIR, registered at the

instance of one Neeraj Kumar, the petitioner is attributed an injury on his right leg with a Gandasa and this injury was declared simple in nature by the doctor. It is also submitted that the injuries received by the complainant are simple in nature and are on non-vital part of the body.

Counsel for the petitioner has also submitted that as per the MLR, injury No.5 is a punctured wound, which could not be caused with the weapon attributed to the petitioner. It is also submitted that one of the accused namely Vijay Kumar @ Vicky has been granted the concession of regular bail by this Court vide order dated 18.07.2019 passed in CRM-M No.27629 of 2019.

In reply, counsel for the State assisted by counsel for the complainant has, however, opposed the prayer for bail on the ground that the petitioner along with other accused persons have caused multiple injuries to the complainant and he has suffered 11 injuries at the instance of the accused persons. It is also submitted by counsel for the State that the petitioner was armed with a sharp edged weapon and he caused injuries on the leg of the complainant.

Counsel for the State has further argued that apart from causing injuries to the complainant even the vehicles of the complainant party were damaged.

Counsel for the complainant has submitted that similarly situated co-accused namely Lakhvir Singh @ Lucky who was attributed injury to the petitioner has been dismissed by this Court vide order dated 18.10.2019 passed in CRM-M No.42371 of 2019. It is further submitted that on account of the Panchayat election, the complainant

party was purposely given beatings in conspiracy with each other.

After hearing the counsel for the parties, I find no ground to grant the relief of anticipatory bail to the petitioner, considering the fact that the petitioner is attributed a specific injury No.5 on the complainant, who has sustained 11 injuries. A perusal of the MLR defining the injuries show that the complainant has received injuries on his entire part of the body which show that the accused persons have given merciless beatings to the complainant, therefore, finding no ground to grant the concession of anticipatory bail, the petition is dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No