

CRM-M-5083 of 2020

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

CRM-M-5083 of 2020
Date of Decision: 05.02.2020

Harbhajan Singh

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. G.S. Randhawa, Advocate, for the petitioner.
Mr. Samrit Gill, Advocate, for the complainant.

RAMENDRA JAIN, J. (ORAL)

Learned counsel has filed vakalatnama on behalf of the complainant on his own, though he has not been impleaded as party. The same is taken on record.

Through this petition under Section 438 Cr.P.C. prayer has been made for grant of anticipatory bail to petitioner – Harbhajan Singh – in case FIR No.0005 dated 07.01.2020 registered under Sections 323, 324, 148, 149 IPC (Section 326 IPC added later on) at Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur.

According to the prosecution, petitioner caused *dang* blow to the mother of the complainant on her left eye which is a vital part.

Learned counsel *inter alia* contends that FIR was lodged three days' after the alleged occurrence. Petitioner has falsely been implicated after due deliberations. All the injuries allegedly suffered by complainant

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and his mother have been declared simple. Two co-accused of the petitioner have been granted concession of anticipatory bail. Therefore, treating the case of the petitioner on the same parity, he may also be granted same relief.

On the other hand, learned counsel for the complainant, refuting above submissions, contends that case of the petitioner is altogether different from his co-accused, who have been granted relief of anticipatory bail, inasmuch as he caused injuries on the left eye of mother of the complainant, which is a vital part. It was good luck of the victim that *dang* blow caused by the petitioner did not hit directly on her eye, otherwise, victim could lose her eyesight.

Considering overall facts and circumstances, this Court is not inclined to grant concession of anticipatory bail to the petitioner.

At this stage, learned counsel for the petitioner prays that he may be allowed to withdraw this petition.

Dismissed as withdrawn.

February 05, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No