

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-15688 of 2020
Date of Decision: 18.6.2020

Suraj @ Kush and another

....Petitioners

Vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Sachin Ohri, Advocate,
for the petitioners

...

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 Pandemic.

By this petition, the petitioners seek the concession of anticipatory bail, upon FIR no.62, dated 31.3.2020, having been registered against them at Police Station Dinanagar, District Gurdaspur, for the alleged commission of offences punishable under Sections 323/324/452/34 of the IPC.

Learned counsel for the petitioners submits that the dispute occurred due to the fact that the complainant was throwing dirt into the drain during the period of the lock down and consequently the petitioners and their mother had questioned him as to why he was doing so; and in any case even if the FIR is to be accepted at face value, the injuries are all

simple in nature and therefore the petitioners are entitled to the concession of anticipatory bail.

Notice of motion.

Mr.Bhupinder Beniwal, learned AAG, Punjab, accepts notice at the asking of the court and submits that though an e-mail has been sent to him by learned counsel for the petitioners, there are no contents in any attachment along-with, with Mr.Ohri submitting that in fact he has submitted two copies of the petition to the office of the Advocate General, Punjab.

Be that as it may, I am not inclined to admit the petitioners to anticipatory bail at least because the allegation is that they attacked the complainant with a *datar*, leading to injuries on his head and forehead, with some of the injuries having been inflicted after entering the house of the complainant (as per the allegation in the FIR).

As regards the two co-accused of the petitioners having been granted bail by this court, as has been submitted by learned counsel for the petitioners (though does not have the copy of those orders), admittedly those co-accused were female members of the family of the petitioners and possibly on that account a lenient view may have been taken.

Consequently, without making any comment on the merits of this case seeking anticipatory bail, I see no reason to entertain this petition, which is dismissed.

Naturally, in the event of the petitioners being arrested and applying for bail under the provisions of Section 439 of the Cr.P.C., such petition would be considered wholly on its own merits, as expeditiously as

possible.

18.6.2020
pk/nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
No/Yes