

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-15940-2020
Decided on : 27.07.2020

Amit Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Abhay Kumar Sharma, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in case FIR No.267 dated 11.10.2019 registered under Sections 323, 324, 506, 148 and 149 IPC (Section 307 IPC added later on) at Police Station City Phagwara District Kapurthala.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the FIR in question only because he happened to be a friend of the main culprits named in the FIR and the complainant had been nursing a grudge against them on account of some previous dispute. He further contends that no specific role has been attributed to the petitioner and only general allegations have been levelled against him. Still further contends that injuries suffered by the complainant were simple in nature and therefore the mischief of Section 307 IPC was not attracted in the case in hand. Hence, the petitioner be extended the concession of anticipatory bail.

A perusal of the FIR reveals that the petitioner along with the co-accused were not only named in the FIR in question but all the accused including the petitioner were armed with lethal weapons when they attacked the complainant party. The petitioner was alleged to be armed with an iron rod and he actively participated in the occurrence by inflicting injuries on the complainant party. As many as four persons suffered injuries in the occurrence including a head injury suffered by the complainant, which was declared dangerous to life.

Prima facie there are serious allegations levelled against the petitioner in the FIR in question, which does not entitle him to the concession of anticipatory bail.

Accordingly, the present petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

27.07.2020

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No