

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18323-2020(O&M)

Date of decision: 21.07.2020

Baldev Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Gopal Singh Nahel, Advocate for the petitioner

Mr. Saurav Khurana, DAG, Punjab

ANIL KSHETARPAL, J.

This is second petition for grant of bail pending trial in FIR No.18 dated 25.1.2019 registered under Section 326 IPC at Police Station Sadar Dhuri, District Sangrur.

In a nutshell, the case of the prosecution is that the first informant(injured) was working as a Conductor cum Driver of the truck owned by the petitioner. The first informant went to the house of the petitioner on 22.7.2011 at about 8:30 p.m to settle his accounts and receive salary. When he knocked at the door of the petitioner's house, he did not open the door immediately and asked the complainant to wait outside for two minutes. The petitioner, thereafter, went to the roof of his house and poured acid on the first informant. The first informant raised alarm and was thereafter, taken to the hospital by co-villagers.

Due to the pouring of acid, the injured/first informant is now 100% visually impaired. The first informant-injured remained under treatment for a period of more than one year. Despite making complaint, the police did not register an FIR, forcing the injured to file a criminal complaint. The petitioner was summoned under Section 326-A and 326-B IPC however, the Sessions Court returned the complaint to the Court of learned Sub Divisional Magistrate. The injured filed CWP 6101 of 2015 in which the High Court ordered CBI to conduct a preliminary inquiry. Thereafter, a case was registered against the petitioner on 25.1.2019.

Learned counsel for the petitioner has submitted that the petitioner, aged about 70 years is suffering from various diseases and is in custody since 24.1.2019. Investigation in the case has been completed. The Police report under Section 173 Cr.P.C has been filed. He, further, contends that prosecution has cited 16 witnesses, however, none has been examined.

This Court has considered the submissions, however, find no merit therein. Here is a case where the injured has become totally blind. As per the case of the prosecution, when the injured went to the petitioner to demand his dues, he poured acid resulting in severe burn injuries. The petitioner is an influential person and the local police did not even register an FIR although, he is alleged to have committed a serious crime.

Keeping in view the aforesaid facts, this Court is not inclined to grant the concession of bail to the petitioner. However,

learned Trial Court is requested to make a sincere endeavour for expeditious disposal of the case.

21.07.2020	(ANIL KSHETARPAL)
rekha	JUDGE
Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No