

CRM-M-20073 of 2020

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

CRM-M-20073 of 2020
Date of Decision: 23.07.2020

Baldev Raj

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Dheeraj Mahajan, Advocate, for the petitioner.
Mr. Bhupender Beniwal, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video conferencing due to pandemic Covid-19.

Through this petition under Section 438 Cr.P.C. prayer has been made for grant of anticipatory bail to petitioner – Baldev Raj – in case FIR No.100 dated 08.07.2020 registered under Sections 323, 324, 325, 34 IPC (offence under Section 326 IPC added later on) at Police Station Dera Baba Nanak, District Gurdaspur.

According to prosecution, in the evening of 07.07.2020 petitioner armed with iron rod, his wife empty-handed and his son Prabhjot armed with *datar* caused repeated grievous injuries to complainant Prem Singh with their respective weapons. On falling down of the complainant, petitioner and his accomplice gave him kick blows.

Learned counsel *inter alia* contends that petitioner has falsely

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been implicated on resisting the complainant by wife of the petitioner from fixing a pipe in front of their gate illegally. Complainant gave slaps to the wife of the petitioner for which they moved representation to the SHO concerned on the alleged date of incident, but no action was taken by the police on asking of the complainant. Injuries have been fabricated in connivance with doctor who is brother of the complainant. There is delay in lodging the FIR.

Opposing above submissions, learned State counsel submits that petitioner caused multiple grievous injuries for which Section 326 IPC has been added later on.

Having given thoughtful consideration to the rival submissions and the fact that since petitioner along with his wife and son has caused grievous injuries to the complainant, he is required for custodial interrogation, inasmuch as weapon of offence has also to be recovered from him. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Dismissed.

July 23, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No