

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

**CRM-M-21764-2020 (O&M)
Date of Decision : 06.08.2020**

Prabhjot

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAMENDRA JAIN

Present : Mr. Dheeraj Mahajan, Advocate
for the petitioner.

Mr. Bhupinder Beniwal, AAG, Punjab.

RAMENDRA JAIN, J. (Oral)

Case has been taken up for hearing through video conferencing.

Through instant petition under Section 438 Cr.P.C. prayer has been made for grant of pre arrest bail to the petitioner in a case arising from FIR No.100 dated 08.07.2020, registered under Sections 323, 324, 325, 34 IPC (Section 326 IPC added lateron), at Police Station Dera Baba Nanak, District Gurdaspur.

According to prosecution, in the evening of 07.07.2020, petitioner armed with *datar*, Baldev Raj armed with *saria* and his wife Sudesh empty handed, caused injuries to complainant Prem Singh. Petitioner inflicted two '*dattar*' blows on the elbow of left arm and on her left wrist which fall under the definition of grievous injury.

Learned counsel while referring the judgments in **Bittu**

vs. State of Haryana 2015 (2) PLJ (Criminal) 174 and Jagdeep Singh @ Bobby vs. State of Punjab, dated 09.12.2016, passed in

CRM-M-28145-2016 contends that petitioner is a juvenile. Injuries attributed to him are not on the vital part of complainant. There is delay of one day in lodging the FIR.

Before determining the age of petitioner by the Juvenile Justice Board, he cannot be treated as a minor. Mother of petitioner has been enlarged on bail, but bail petition of his father has been rejected.

Considering overall facts and circumstances and the gravity of offence, no ground is made out to grant concession of regular bail to petitioner.

Dismissed.

**(RAMENDRA JAIN)
JUDGE**

06.08.2020
mamta

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No