

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

CRM-M-21266-2020 (O&M)

Date of decision : 07.08.2020

Mewa Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Aman Pal, Advocate for the petitioner.

Mr. Chetan Sharma, Addl. A.G. Haryana.

Mr. M.P.S. Mann, Advocate for the first informant.

ANIL KSHETARPAL, J. (ORAL)

The petitioner prays for pre-arrest bail in FIR No.122 dated 20.04.2019 registered under Sections 148, 149, 323, 506, 148, 149 of the Indian Penal Code (Section 307 IPC added later on) at Police Station Pinjore, District Panchkula.

In brief, the case of the prosecution has been noticed by the learned Additional Sessions Judge in para 6, which is extracted as under:-

“6. The present FIR was registered on the statement of Satbir Singh. As per the contents of the FIR, 15 to 20 persons gathered and were standing in street in front of the house of Naseeb and they were supporters of Charan Singh and when the complainant reached there, the accused namely Mewa Singh, Pinder son of Dalel, Sukhbir son of Rabbi Singh, Jang Singh, Ram Karan, Salinder Singh son of Ram Singh, Lakhwinder Singh son of Nirmal Singh, Onkar Singh son of Gurmail Singh, Jagtar Singh son of Gurmail

Singh, Jasbir Singh @ Jassi, Satnam Singh son of Jeet Singh, Pinda Singh son of Jeet Singh, Deep Singh son of Harpal Singh gave lalkara and when the complainant tried to run away, all the accused pelted stones and bricks upon him and he fell down. Mewa Singh (Petitioner) had caused injury with gandasi on the head of Satbir Singh and Sarwan Singh and Ram Karan had given danda blows. Accused Neema son of Piyara Singh, Amrik Singh son of Mohan Singh had given fist blows and also caused injuries with bricks. Due to the injuries suffered, the complainant (Satbir) became unconscious and other persons had taken him to hospital. He was hospitalized and his medicolegal examination was conducted vide MLR No.PKL/MLC/19/04/1404/AB dated 19.04.2019.”

Learned counsel for the petitioner contends that the persons belonging to other party had entered the house of the petitioner who in defence had exercised his right of private defence.

On the other hand, learned counsel for the first informant has stated that the petitioner is the main accused who is attributed to have caused head injury with gandasi. He further submits that the fight took place in the street.

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

Accordingly, the present petition is dismissed.

07.08.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No