

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

(Heard through VC)

CRM-M-31032 of 2020 (O&M)
Date of Decision: October 05, 2020

Harkirat Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Damanjit Singh Sandhu, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG Punjab.

Mr. Atul Goyal, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

1. The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.172 dated 01.09.2020, registered under Sections 307, 323, 341, 506, 34, 379-B of Indian Penal Code (Sections 325, 326 of IPC added later on) at Police Station Shimlapuri, District Ludhiana.

2. Counsel for the petitioner herein would contend that a slight altercation took place when the car of the petitioner bearing registration No.PB32-V-1666 had a minor accident with the car of son of the complainant bearing registration No.PB10-FQ-3218. The son of the

complainant and others started chasing the petitioner and brutally attacked him. It is argued that the whole incident was captured in a CCTV camera, the footage of which would reflect that the petitioner had been badly injured and was subsequently admitted in ESI hospital, Ludhiana. It is also submitted that the police has been directed to decide the representation filed for a fair investigation in CRWP No.7742 of 2020, however, the police are making all attempts to arrest the petitioner.

3. Notice of motion.

4. At this stage, Ms. Rashmi Attri, AAG Punjab, who is appearing through the medium of video conferencing, accepts notice on behalf of the respondent-State. Similarly, Mr. Atul Goyal, Advocate accepts notice on behalf of the complainant.

5. Counsel for the complainant and the respondent-State would submit that son of the complainant was severely injured by the petitioner-Harkirat Singh, who has given a *Kirpan* blow on his son. The complainant, in order to save him, raised his left hand and was subsequently injured by the petitioner herein, resulting in two fingers of his left hand being cut. It is also contended that petitioner-Harkirat Singh gave a brick blow on the head of the Rahul, the second of the complainant and therefore, the petitioner herein is not entitled to grant of anticipatory bail.

6. I have heard counsel for the parties and have gone through the pleadings of the case.

7. As per the FIR, there are allegations against the petitioner herein that he caused grievous injuries to the complainant as well as his son. The complainant received injuries on his left hand and his son Rahul

received injuries on his head. The petitioner also snatched away two mobile phone belonging to the complainant. Under these circumstances, once custodial interrogation of the petitioner is required for a result oriented investigation, this court is not inclined to grant anticipatory bail to the petitioner.

8 In view of the above, the instant petition is hereby dismissed.

October 05, 2020
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No