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

**CRM-M-32285-2020
Date of Decision: 30.10.2020**

Daler Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Amit Arora, Advocate,
for the petitioner.

Mr. M.S. Dullat, DAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

The present petition has been filed under Section 438 of the Code of Criminal Procedure by the petitioner, seeking anticipatory bail in case FIR No.318 dated 11.08.2020, under Sections 326, 325, 323, 324, 506 and 34 of the Indian Penal Code, registered at Police Station Jhabal, District Tarn Taran.

2. Ld. Counsel for the petitioner has submitted that the FIR lodged against his client is false and motivated and was done with a view to create pressure upon his client to settle the old pending civil dispute with the complainant's side. He has also drawn attention of the Court to the fact that the FIR in question was lodged seventeen days after the date of the alleged occurrence, which according to him had never taken place.

3. After hearing Ld. State Counsel and perusing the MLR of the concerned victim Joginder Singh, it is seen that he had sustained as many as

six separate injuries, of which two injuries happen to be fractures on his right forearm, and in the knee, which undoubtedly were both grievous in nature, while the other four injuries were all designated as simple.

4. Admittedly, there has been a long delay in lodging the FIR. At the same time, however, it is indisputable that the victim, in any case, had been got admitted for treatment of his injuries promptly after the alleged occurrence took place. In such circumstances, at this stage, for the purpose of deciding the present petition for grant of anticipatory bail to the petitioner, the apparent delay in lodging the FIR would not appear to be very consequential, since any prudent person is first of all expected to get his pain and suffering to be relieved, before going in for any long drawn legal course of action. The fact that the injured victim had been admitted in the hospital for treatment of his aforesaid injuries, including two fractures, shortly after the alleged occurrence, and the injuries were specifically imputed to the present petitioner in the FIR, in their entirety would, therefore, go to persuade the Court that this is not a fit case to grant the extra-ordinary relief of anticipatory bail to the petitioner.

5. Dismissed.

30.10.2020

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No