

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2020/10/17 11:48
I attest to the accuracy and
authenticity of this document

CRM-M-32972-2020

Date of decision : 15.10.2020

Nabeen

..... Petitioner (s)

Versus

State of Haryana

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Ms. Rosi, Advocate
for petitioner.

Mr. Sanjay Mittal, Additional A.G. Haryana.

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HARINDER SINGH SIDHU, J.

The case is taken up through video conferencing on account of COVID 2019.

This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 149, dated 22.6.2020, registered under Sections 148, 149, 323, 325, 506 IPC (Section 326 IPC added later on) at P.S. Pinangwan, District Nuh.

On 26.4.2020, information was received from Community Health Centre, Punhana that a young girl namely Sadia aged 10 years was admitted on account of injury. The police party went to hospital but injured and her family members were not found there. Chhutan, father of injured recorded his statement wherein he stated that matter has been compromised and that he does not want any legal action. However, on 15.6.2020, father of injured filed a complaint alleging that on 26.4.2020 at 5.00 pm accused Shokat, Wakil, Nadeem, Nabeen, Taslim and others had altercation with him. They entered his house armed with lathis, dandas and stones. Accused Shokat assaulted his wife and pelted stones on his daughter who got injured. Accused Nadeem assaulted him. The neighbours intervened and accused absconded.

Learned counsel for petitioner has argued that no specific injury has been attributed to petitioner by complainant. Initially, petitioner was granted concession of anticipatory bail and was directed to join investigation, however, after obtaining report from AIIMS, Delhi as per which minor has lost the vision of her right eye, offence under Section 326 IPC was added.

Even though petitioner is not attributed any role, however, he was part of unlawful assembly and entered the house of petitioner armed with lathis, dandas and stones and caused injury to wife and daughter of complainant. No case for grant of anticipatory bail to petitioner is made out.

Petition is dismissed.

(HARINDER SINGH SIDHU)
JUDGE

15.10.2020

sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No