

104 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-749-2021
Date of Decision: 08.01.2021

MOHIT

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: Hon'ble Mr.Justice Deepak Sibal

Present: Mr.Anuj Sood, Advocate for the petitioner
Mr.Anant Kataria, D.A.G. Haryana

Deepak Sibal, J. (Oral)

Case taken up through Video Conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.291 dated 23.11.2020 registered under Sections 148, 149, 307, 323, 324, 506 at Police Station Sector 14, District Panchkula.

Briefly stated, the case of the prosecution is that is that the complainant – Jameel Ahmed @ Chand was running a hair/ beauty saloon in Panchkula where Rajni was one of the workers employed by him. On the fateful day Rajni asked the complainant to grant her leave so that she could attend the marriage upon which the complainant told her that she could go after sometime. Rajni protested by putting her bag and coat on the table of the kitchen inside the saloon. Usman who was also working in the saloon asked Rajni to remove her bag and coat as he wanted to take his meals in the kitchen on which Rajni got annoyed and called her brother Rahul who came there with the petitioner and other co-accused. The petitioner then asked the complainant as to why he had not permitted Rajni to attend the marriage ceremony. Thereafter the petitioner took out a knife from his pocket and

attacked the complainant who turned around to save himself but the knife landed on the right side of his back. When other co-workers gathered there, the petitioner along with his co-accused, after leaving the weapon used by him, fled the scene. However, before leaving the spot they threatened to kill the complainant.

Learned counsel for the petitioner argued that the petitioner has been falsely implicated in the case and that one of his co-accused namely, Kartik, in police custody, had owned the injury alleged to have been given by the petitioner.

From a reading of the FIR, the case of the prosecution is clear that the petitioner, on being called by Rajni, duly armed with a knife, came to the complainant's saloon and then, with his knife, inflicted an injury on the complainant on the basis of which the present case was registered for attempt to murder upon the complainant.

In view of the above serious allegations against the petitioner he does not deserve to be granted the concession of anticipatory bail.

Dismissed.

It is clarified that the above observations have been made by this Court to decide the present petition seeking anticipatory bail in which investigation is still going on and therefore these observations be not construed as opinion on the merits of the case.

08.01.2021

gk

(Deepak Sibal)
Judge

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No