

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

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**CRM-M-12898-2021
Decided on : 21.09.2021**

Jatinder Kumar @ Tinda

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. H.P.S. Ghuman, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab
assisted by ASI Satpal.

MANJARI NEHRU KAUL, J. (Oral)

This is the second petition filed under Section 439 Cr.P.C. seeking grant of bail to the petitioner, in case FIR No. 0061, dated 27.06.2020, registered under Sections 307, 324, 323, 506, 148, 149 of IPC (added later on Section 201 of IPC), lodged at Police Station Doraha, District Khanna (Ludhiana).

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in hand. While inviting the attention of this Court to the allegations levelled in the FIR in question (annexed as Annexure P-1), has submitted that the petitioner has been attributed a *Kirpan* blow on the non-vital parts of the body i.e. ankle and finger of the injured. He further submits that the petitioner has been in custody since 03rd July, 2020 and there is no likelihood of the trial concluding anytime in the near future, as the prosecution is yet to commence.

Per contra, learned State counsel has vehemently opposed the prayer and submissions made by counsel opposite. Learned State counsel

on instructions from ASI Satpal, has apprised the Court that not only was the petitioner specifically named in the FIR in question, but was also attributed a role, which finds due corroboration with the medical evidence. The learned State counsel has also submitted that in the wake of the criminal antecedents of the petitioner, he be not extended the concession of anticipatory bail, because, as many as 08 criminal cases stand registered against him including under the Excise Act, the Indian Penal Code and the NDPS Act.

I have heard learned counsel for the parties and perused the material on record.

In the facts and circumstances of the case and in the wake of criminal antecedents of the petitioner, this Court is not inclined to extend the concession of bail to the petitioner.

Petition stands dismissed accordingly. However, anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

September 21, 2021

J.Ram

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