

120 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13690-2021
Date of Decision: 25.03.2021

JAGTAR KHAN

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: Hon'ble Mr.Justice Deepak Sibal

Present: Mr.Nandan Jindal, Advocate for the petitioner
Mr.Sandeep Kumar, Deputy Advocate General, Punjab

Deepak Sibal, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.35 dated 04.06.2020 registered under Section 326-A IPC at Police Station Bakhshiwala, District Patiala.

Briefly stated, the case of the prosecution is that on 03.06.2020 at about 8.00 pm when the complainant reached near the petitioner's milk dairy he was initially abused by the petitioner and then attacked. At that time the complainant managed to escape from the scene but later the petitioner again attacked him by throwing acid on his face and upper body.

Learned counsel for the petitioner contends that it was the complainant who had entered the petitioner's shop and attacked him and during the course of such attack per chance the complainant hit a bottle containing acid resulting in the falling of the acid on him; even the petitioner received injuries at the hands of the complainant and in this regard attention of this Court was drawn to the petitioner's MLR; the

petitioner has no other criminal case pending against him and that the petitioner is ready and willing to join investigation as and when called by the investigating agency.

The complainant's MLR reveals chemical burn with redness and trickle mark present on the right of his face involving right eye, right ear, right shoulder, right arm and right side of chest.

In view of the above serious allegations against the petitioner with regard to having scarred the complainant's face and other parts of his body with acid, he is held not entitled to the grant of concession of anticipatory bail especially when no explanation is forthcoming from the petitioner as to how had he procured and why he kept a bottle of acid in a milk dairy being run by him.

Dismissed.

25.03.2021
gk

(Deepak Sibal)
Judge

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