

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

101

CRM-M-19737-2021(O&M)

Decided on : 19.05.2021

SARDARI LAL

. . . Petitioner(s)

Versus

STATE OF PUNJAB

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

Present: Mr. J.S. Thakur, Advocate
for the petitioners.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.14 dated 29.01.2021 under Sections 307, 148 and 149 of the IPC, 1860 registered at Police Station Bhargo Camp, District Jalandhar Commissionerate.

Learned counsel inter alia contends that the petitioner has been falsely implicated in the case in hand on account of some previous enmity between the parties. He further contends that the petitioner was neither named in the FIR in question nor any specific role, much less, any injury has been attributed to him in the alleged occurrence. Learned counsel submits that the false implication of the petitioner is evident from the fact that a role was assigned to him after a delay of one day by injured Happy.

Heard and perused the FIR and other material on record.

No doubt the petitioner's name does not figure in the occurrence in question but the fact remains that the FIR was got registered at the instance of an eye-witness, who was not privy to the threat which had been extended to the injured a day prior to the alleged occurrence by the

petitioner. It is a matter of record that the injured received as many as 14 injuries with a sword which the accused were carrying at the time of alleged occurrence. The injured became unconscious after the occurrence in question and was shifted to the hospital in a critical condition. It is only after the injured-Happy regained consciousness and was stable that he spelt out the alleged motive and threat given by the present petitioner a day prior to the alleged occurrence.

Prima facie there are serious allegations levelled against the petitioner of being the brain behind the alleged crime, for which he does not deserve the concession of anticipatory bail.

The petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

May 19, 2021

S.Sharma(syr)

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No