

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

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**CRM-M-20056-2021(O&M)
Decided on : 19.05.2021**

MANBIR SINGH @ MANVEER SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. C.L. Verma, Advocate
for the petitioner.

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.0044, dated 31.03.2021 under Sections 323, 325, 341, 34 and 379-B of the IPC registered at Police Station Sadar Khanna, District Ludhiana.

Learned counsel for the petitioner inter alia contends that the complainant has foisted a false case upon the petitioner which finds support from the fact that the complaint leading to the registration of the FIR in question was lodged after 6 days of the alleged occurrence. Learned counsel for the petitioner contends that in fact it was the petitioner who was assaulted by the complainant and his friend on 25.03.2021 and at gun point their mobile phone was snatched for which he gave a complaint dated 26.03..2021 (Annexure P-3) to the SHO, Police Station Sadar Khanna but he had not taken any action against the complainant till date since he was a police official. Still further, he contends that the only role attributed to the petitioner in the FIR in question is of inflicting an injury on the left hand of the complainant. It has been submitted that the MLR of the complainant

which respect to the said injury is from a private hospital and thus much weightage cannot be given to it.

Heard.

A perusal of the contents of the FIR reveals that when the complainant alongwith his friend after arranging an oxygen cylinder for his Covid infected father were returning to Ludhiana, they were way laid on 25.03.2021 at 11.15 p.m. by the accused including the petitioner who blocked their way by parking a Trolly bearing registration No. PB-23A-5114 and a car in the centre of the road. Thereafter, the accused including the petitioner who was armed with an iron *datti* inflicted injuries on the head of the complainant. The co-accused (non-applicants) after inflicting injuries with the *dandas* fled away from the spot but not before snatching the complainant's mobile phone and Rs.37,000/- and a gold chain of the complainant's friend who was with him at the time of alleged occurrence. Not only this, the accused including the petitioner tried to run over their vehicle on the complainant. The complainant soon thereafter was rushed to the hospital where he was medically treated. However, as his father succumbed to Covid soon after his admission the complainant sought his discharge to perform the last rites. Soon after the cremation, the complainant returned to the hospital and got his statement recorded. Still further the submission of the learned counsel for the petitioner qua the complaint (Annexure P-3) was admittedly given on the next date of alleged occurrence whereas the complainant was admitted in the hospital soon after the alleged occurrence.

Prima facie there are serious allegations levelled against the

petitioner which does not entitle him to concession of anticipatory bail as his custodial interrogation would be required.

The petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

May 19, 2021

S.Sharma(syr)

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>