

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-35976-2021 (O&M)
Date of Decision:- 23.9.2021

Dharam Pal @ Rana

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sarju Puri, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Kashmir Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in a case registered vide FIR No.95, dated 13.8.2021, Police Station Sadar Banga, District SBS Nagar, under Sections 326, 323, 341, 34 IPC.
2. The FIR was lodged at the instance of Surjit Singh wherein it is alleged that on 4.6.2021 at about 6.10 pm, when he was walking from his house towards his *haveli*, Jatinder Singh and Rana came from

behind on a motorcycle and stopped near him. Both the said persons are alleged to have caused injuries with '*datar*' and '*khanda*' to the complainant with an intention to kill him and it is also alleged that they also brandished a revolver to scare him.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case on account of there being a political rivalry amongst them and there are several other FIRs also amongst the parties. It has further been submitted that none of the injuries is on any vital part and in fact the entire allegations have been cooked up falsely as would be evident from the fact that the matter was reported to the police after a delay of 13 days and the FIR came to be lodged about 2 months of the occurrence in question.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR along with the other co-accused and both of them are alleged to have caused injuries with the help of a '*datar*' and '*khanda*' which are duly substantiated from the medical evidence, no case for grant of bail is made out. It has also been submitted that as many as four injuries were found on the person of the injured, out of which two have been declared as 'grievous injuries'.
5. I have considered rival submissions addressed before this Court.
6. A perusal of the FIR would show that the complainant has specifically named the two assailants and has not made any attempt to make any exaggerations. The allegations against the petitioner and co-accused having caused injuries are virtually substantiated from the

fact that as many as four injuries were found on the person of the injured when he was examined in the hospital on the day of occurrence itself. The fact that there is a delay of 13 days in reporting the matter to the police and of 2 months in lodging the FIR cannot *ipso facto* be construed to mean that a false FIR has been lodged particularly when the receipt of injuries on 4.6.2021 itself is duly established from the MLR.

7. Keeping in view the fact that the injuries have been caused with lethal sharp edged weapons and two of the injuries have been found to be 'grievous injuries', this Court does not find any special case for grant of anticipatory bail to the petitioner.
8. The petition is sans merit and is hereby dismissed.

23.9.2021

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No