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

CRM-M-36188-2021

Date of decision : 03.09.2021

Jaiharbhag Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Rajbir Singh, Advocate for the petitioner.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.128 dated 04.07.2021 registered under Sections 326, 323, 324, 452, 506, 427, 148, 149 of the Indian Penal Code, 1860 (hereinafter to be referred as "IPC") at Police Station Goindwal Sahib, District Tarn Taran.

Learned counsel for the petitioner has submitted that in the present case, there was a dispute between the parties with respect to the passage and in fact, the petitioner has been falsely implicated and there is possibility that the injury in question has been self-suffered. It is further submitted that other co-accused persons have been granted the anticipatory bail.

Learned counsel for the petitioner has also stated that after the said incident, in fact, the complainant party had attacked the petitioner.

This Court has heard learned counsel for the petitioner.

As per the prosecution case, the petitioner is the main accused inasmuch as the petitioner was armed with *daatar* and he had given an injury with the said *daatar* on the right leg of the complainant which as per the prosecution version, started bleeding and was declared as grievous in nature and thus, offence under Section 326 of IPC was added subsequently on account of the said injury as other co-accused persons who have been granted the bail are not the ones who have caused the grievous injury and thus, there would be no parity in the case of the petitioner with the other accused persons. With respect to the subsequent incident, it will always be open to the petitioner to take appropriate legal remedy.

Keeping in view the abovesaid facts and circumstances and the fact that the specific role has been attributed to the petitioner, the present petition is dismissed.

Nothing stated above shall be construed as an expression of opinion on the merits of the case.

03.09.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No