

102

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

CRM-M-37588-2021

Date of decision : 10.09.2021

Tejinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ajay Pal Singh Rehan, Advocate for the petitioner.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is to grant anticipatory bail to the petitioner in FIR No.67 dated 19.03.2021 registered under Sections 323, 324, 506, 148 and 149 of the Indian Penal Code, 1860 (Section 326 of IPC has been added later on) at Police Station Beas, Police Amritsar Rural, District Amritsar.

Learned counsel for the petitioner has submitted that the FIR has been registered after a delay of 6 days and has further submitted that in fact, there is previous enmity between the complainant and the petitioner as the complainant and his unidentified friend used to sit in the shop rented to Village Doctor by maternal aunt of the petitioner and used to create nuisance in the same. It is further submitted that the said shop is run in a

room in the house of the maternal aunt of the petitioner with a door opening in the street and that petitioner and her maternal aunt had requested the complainant and his friend not to create nuisance due to which altercation had taken place. It is further submitted that the occurrence, as mentioned in the FIR, never occurred and the petitioner was not even present at the spot.

This Court has heard the learned counsel for the petitioner.

As per the prosecution case, the petitioner has been shown to be the main accused inasmuch as he was armed with a sword and had given two injuries to the complainant on his cheek and on his biceps. The injury on the biceps has been declared to be grievous. It is further the case of the prosecution that the petitioner has also given two injuries on the neck and right leg of brother of the complainant i.e. Gurpartap Singh. The delay in the FIR in such a situation cannot be stated to be fatal and in fact, even as per the version given by the petitioner, there was enmity between the petitioner and the complainant party.

Keeping in view the abovesaid facts and circumstances, moreso the specific attribution against the petitioner, this Court finds that the petitioner is not entitled to anticipatory bail and accordingly, the present petition is dismissed.

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

10.09.2021*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**