

201

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.40162 of 2021 (O&M)

Date of decision: 01.10.2021

Vikas

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. Deepak Grewal, DAG, Haryana.

Mr. Amit Khatkar, Advocate
for the complainant.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.330 dated 26.07.2021 registered under Sections 307/427/506 of the Indian Penal Code, 1860 (in short 'IPC') at Police Station Sadar Jind, District Jind.

Counsel for the petitioner has argued that as per the allegations in the FIR, registered at the instance of Rajesh, it is stated that on 24.07.2021 at night, he along with his brother Satpal went to the street to search the son of his brother Satpal and asked about him from Vijay Pal but he after sometime, came to their house and started complaining and then, he pushed Vijay Pal and he fell from Chabutara and suffered injuries and in this regard, he lodged an FIR. Thereafter, on 25.07.2021, the complainant was coming in his village and when he reached on the road, Mahender son of Telu Ram along with Kulbir son

CASE HEARD THROUGH VIDEO CONFERENCING

of Vedpal called him to stop and when they were talking to each other, in the meantime, Vikas came in his car from the side of Jind and with the intention to kill the complainant, hit on his motorcycle with his car and then fled away from the spot, however, the wheel of the car was crossed over from his right leg and he fell down and thereafter, he was taken to the Civil Hospital, Jind.

Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case and in fact, it is a case of road side accident and therefore, no offence under Section 307 is made out.

In reply, counsel for the State assisted by counsel for the complainant has submitted that in fact, the petitioner voluntarily hit the motorcycle of the complainant, who has suffered the following injuries:-

“1. L/W of size 10 x 3.5 cm present over the lateral aspect of right leg. Muscle and tendon exposed. O/E difficulty in movement present adv ortho opinion.

2. L/W of size 5 x 2 cm present over the medial aspect of right leg just below the right knee joint adv ortho opinion.

3. Abrasion of size 4.5 x 1 cm present over the lower back region. No difficulty in movement adv ortho opinion.

4. Abrasion of size 0.5 x 0.5 cm present over the right elbow joint. No difficulty in movement.

5. Abrasion of size 0.5 x 0.5 cm present over the right ankle joint O/E bleeding present tenderness present adv ortho opinion.”

Counsel for the State has also submitted that the right leg of the victim was crushed and there was deep injury as muscle and tendon were exposed.

CASE HEARD THROUGH VIDEO CONFERENCING

Counsel for the complainant has further argued that the victim Rajesh has not been able to walk till date as he is still under treatment and has spent huge amount on his treatment. It is also submitted that the intention of the petitioner was to kill the complainant and therefore, the offence under Section 307 IPC is made out as the petitioner is the main accused.

After hearing the counsel for the parties, considering the serious allegations against the petitioner, I find no ground to grant anticipatory bail to the petitioner.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

01.10.2021
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No