

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

101

CRM-M-41611-2021 (O&M)

Date of Decision: 05.10.2021

Amit Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

Ms. Sheenu Sura, DAG, Haryana.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in a case registered against him vide FIR No.106 dated 17.06.2021 at Police Station Ambala Sadar, District Ambala, under Sections 323/324/326/201/506/34 IPC (Sections 326/201 IPC added later on).
2. The FIR was lodged at the instance of Gaurav Kumar, wherein it is alleged that on 16.06.2021 at about 8:30 PM, he and his wife entered into a quarrel. His brother, who lives in adjoining house was trying to intervene and to reason out with them. It is alleged that, in the meantime, his uncle's son Mahesh came there and started scuffling with the complainant. The brother of the complainant asked Mahesh to leave, as the dispute between the complainant and his wife was an internal family matter. However, Mahesh kept on scuffling. Thereafter, Mahesh's younger brother i.e. petitioner Amit Kumar

- came at the spot and picked up a brick and hurled the same hitting the complainant's head. Mahesh and his brother were pushed away by complainant's brother and his wife, who left while issuing threats. While the complainant was still there in the street and his brother was trying to take him inside, Mahesh and Amit again came back and immediately upon coming back Mahesh grabbed the complainant from his neck while Amit gave blows in the abdomen and chest of the complainant with a sharp punch type of thing on account of which the complainant fainted.
3. Learned counsel for the petitioner has submitted that the petitioner has a clean record and that he being a good neighbour and a relative of the complainant had simply tried to intervene and that the entire occurrence had taken place all of a sudden without there being any pre-meditation and since the petitioner had earlier been granted bail in respect of other offences under Section 323, 324 etc, the petitioner deserves the concession of anticipatory bail.
 4. I have considered the aforesaid submissions.
 5. The petitioner is not only specifically named in the FIR but is attributed specific role as well. He had initially hurled a brick on the head of the complainant and has later caused injuries on the chest and stomach with a sharp punch type of weapon, while his brother held the complainant from his neck. The contention of the petitioner that everything happened all of a sudden cannot be accepted for the reason that the petitioner after having hurled brick on the complainant had returned back but had later again come back to the place of occurrence and had then caused injuries with a punch. In these circumstances,

this Court does not find any special case for grant of anticipatory bail.

The petition is *sans* merit and is hereby dismissed.

05.10.2021

(GURVINDER SINGH GILL)

VY

JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**