

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

Sr. No.104

CRM-M-43480-2021

Date of decision: 26.10.2021

Sanjay

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. R.S. Mamli, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.0151 dated 29.07.2021, registered under Sections 148, 149, 323, 341, 506 IPC at Police Station Bhattu Kalan District Fatehabad.

Briefly stated, the case of the prosecution is that on 28.07.2021 about 4.00 P.M., the complainant and his friend Robin were attacked by the petitioner and his co-accused as a result whereof the complainant and his friend received several injuries.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case at the behest of the complainant who is inimical towards him; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, only simple injuries are attributed to the petitioner and that all the offences of which the petitioner is accused of, except 506 IPC, are bailable offences.

On the other hand, learned State counsel, who appears on advance notice, submits that the petitioner and his co-accused cumulatively inflicted as many as 08 injuries on the complainant and his friend Robin and that the petitioner is a habitual offender as, in addition to the present FIR, there are three other criminal cases against him including a case under Section 302 IPC which was registered after the registration of the FIR in question.

Admittedly, while on bail in two criminal cases, the petitioner is alleged to have committed the offences which are the subject matter of the present petition and that after the lodging of the FIR, in which the petitioner seeks anticipatory bail, he is accused of having committed murder. Thus, the petitioner has misused the concession of bail granted to him earlier. His criminal antecedents are also not good.

Dismissed.

October 26, 2021
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No