

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.43251 of 2021

Date of Decision: 23rd November, 2021.

Kuldeep

...Petitioner

Versus

State of Haryana

...Respondent

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. J.P.Sharma, Advocate,
for the petitioner.

Mr. S.S.Pannu, DAG, Haryana.

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MEENAKSHI I. MEHTA, J.

Apprehending his arrest in the criminal case arising out of the FIR bearing No.409 dated 30.09.2021 registered at Police Station City Mahendergarh District Mahendergarh, under Sections 148, 149, 323, 452 & 506 IPC, the petitioner has preferred this petition for seeking the relief of anticipatory bail.

Bereft of unnecessary details, the allegations, as levelled by complainant-Krishan in the subject FIR, are that the petitioner and his co-accused caused injuries to him with iron rods and sticks etc.

Status-report, filed on behalf of the respondent-State by way of the affidavit of Assistant Superintendent of Police, Mahendergarh, along-with Annexure R-1, is already available on the file and these documents are taken on the record.

I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file thoroughly.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case and no recovery is to be effected from him and even otherwise, no specific role in the alleged occurrence has been attributed to him and it being so, he (petitioner) deserves the relief as sought in the instant petition.

Per-contra, learned State counsel argues that the petitioner had caused injury on the right foot of the complainant-injured with iron-rod and moreover, he is involved in four more criminal cases and he also did not join the investigation despite the issuance of notice under Section 41 (1) Cr.P.C to him and keeping in view these circumstances, the present petition be dismissed.

A perusal of the FIR reveals that the name of the petitioner finds specific mention in the same as the assailant who had allegedly given a blow of the iron-rod on the right foot of the complainant. Annexure R-1 is the copy of the Discharge Summary of the complainant wherein he is reported to have suffered the fracture on his right tibia and fibula proximal third.

Further, as detailed in Para 6 of the Status-report, the petitioner is involved in four more criminal cases besides the present one and though, in one of these cases, the FIR is stated to have been cancelled but the fact remains that in two of the remaining three cases, he is yet to be arrested.

Moreover, as categorically mentioned in Para 5 therein, the petitioner failed to appear before the Investigating Officer in pursuance of the notice issued to him in this regard.

Keeping in view all the above-discussed facts and circumstances as well as the nature of the offence as alleged to have been committed by the petitioner, this Court is of the considered opinion that he (petitioner) does not deserve the relief of anticipatory bail. Resultantly, the petition in hand stands dismissed accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

23.11.2021.
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Whether speaking/reasoned?	Yes
Whether Reportable?	No