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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-40933-2020 (O&M)

Date of Decision: 17.02.2021.

RINKU

.....Petitioner

V/s.

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

(Through Video Conferencing)

Present: Mr. Ravinder Malik, Advocate,
for the petitioner.

Mr. Tanushree Gupta, Deputy Advocate General, Haryana.

MANJARI NEHRU KAUL, J. (Oral)

CRM-4449-2021

Application is allowed as prayed for.

CRM-M-40933-2020

The present petition has been filed under Section 439 Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.119, dated 13.07.2020, under Sections 324 and 506 of the Indian Penal Code, 1860 (Section 307 of the IPC added later on) registered at Police Station Kunjpura, District Karnal.

Learned counsel for the petitioner has submitted that a totally false and fabricated version has been brought forth by the complainant in the case in hand. He further submits that the petitioner has been attributed a knife blow on the right side of the stomach of the complainant. Learned counsel for the petitioner has submitted that it is still debatable whether the mischief of Section 307 of the IPC would be attracted or not in the instant

case. He further submits that the motive, origin and genesis of the dispute has also not been disclosed in the FIR.

Per contra, learned counsel for the petitioner has opposed the prayer and submission made by the learned counsel for the petitioner and has submitted on instructions from ASI Ram Ashre that the challan has been presented on 12.10.2020 and charges are likely to be framed in the near future.

Heard.

Prima facie, there are serious allegations levelled against the petitioner which indicate that it was a premeditated attack by and injury was inflicted on the stomach of the complainant with a lethal weapon. In the circumstances, the petitioner does not deserve the concession of regular bail. Resultantly, this petition is hereby dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

February 17, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

<i>Whether speaking / reasoned</i>	:	<i>Yes /No.</i>
<i>Whether Reportable</i>	:	<i>Yes/No</i>