

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

**104**

**CRM-M-47061-2021**

**DATE OF DECISION: 10.11.2021**

**KULWANT SINGH**

**... Petitioner(s)**

***Versus***

**STATE OF PUNJAB**

**... Respondent(s)**

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. Sukhbir Maandi, Advocate  
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

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**ANUPINDER SINGH GREWAL, J. (ORAL)**

Case taken up through video conferencing.

The petitioner is seeking anticipatory bail in FIR No.36 dated 04.06.2021, under Sections 323, 324, 148, 149 IPC (Section 326 IPC added later on), registered at Police Station Kacha Pacca, District Tarn Taran.

Learned counsel for the petitioner contends this petition is a second petition for anticipatory bail and the previous petition bearing CRM No.M-40439 of 2021 was dismissed as withdrawn on 28.09.2021. He further contends that it is alleged that the petitioner who was armed with a 'datar' had given blow on the elbow of the injured which had resulted in the fracture and offence under Section 326 IPC has been invoked.

It is manifest that the petitioner himself has not suffered any injury. He was armed with a 'datar' and had given an injury which resulted in fracture of the injured. The co-accused Sukhbir Singh was armed with a dang and he is alleged to have caused simple injury while the co-accused Gurjant

Singh was armed with a ‘gandasi’ and had given blow with a reverse side on the injured.

In view of the petitioner having allegedly caused a fracture on the elbow of the injured with a ‘datar’, I do not deem it appropriate to grant concession of anticipatory bail.

The petition stands dismissed.

**(ANUPINDER SINGH GREWAL)**  
**JUDGE**

**10.11.2021**

SwarnjitS

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No