

104 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47191-2021
Date of Decision: 25.11.2021

BASANT SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondents

CORAM: Hon'ble Mr. Justice Deepak Sibal

Present: Mr. Rahul Kumar Adia, Advocate for petitioner
Ms. Gunkirat Kaur, AAG Punjab

Deepak Sibal, J. (Oral)

The matter has been taken up through Video Conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in DDR No.22 dated 29.07.2021 of FIR No.63 dated 07.07.2021 under Sections 323, 326, 342, 148, 149 IPC registered at police station Mallanwala, district Ferozepur.

Briefly stated, the case of the prosecution is that due to a civil dispute between the parties on 01.07.2021 at about 6.00 p.m. the petitioner and his co-accused attacked the complainant party and caused injuries to them which includes a *Kapa* blow by the petitioner on the complainant's left wrist and another *Kapa* blow on her left shoulder.

Learned counsel for the petitioner contends that the petitioner has been embroiled in this case at the behest of the complainant as there is a civil dispute pending between the families of the complainant and the petitioner; the petitioner was not even present at the spot; the petitioner has no other criminal case pending against him and that the petitioner is also ready and willing to join investigation as and when called by the

investigating agency.

A perusal of the record which includes the complainant's MLR reveals that the petitioner has allegedly caused a fracture on the complainant's left wrist and inflicted another injury on her left shoulder.

In the light of the above serious allegations against the petitioner of having inflicted a fracture on the complainant's left wrist which injury has been declared to be grievous as also another injury on her left shoulder no ground is made out to grant the petitioner the concession of anticipatory bail especially when the weapon, allegedly used by the petitioner, is yet to be recovered.

Dismissed.

It is clarified that the above observations have been made only for the limited purpose of deciding the present anticipatory bail application and the same would not be construed to be an expression of opinion on the merits of the case.

25.11.2021
gk

(Deepak Sibal)
Judge

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No