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

CRM-M-47319-2021

Date of decision : 11.11.2021

Kishan Sharma @ Rohit Sharma @ Pandit

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Dixit Garg, Advocate for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.111 dated 30.08.2021 registered under Sections 324, 506, 148 and 149 of the Indian Penal Code, 1860 (Section 326 of IPC has been added later on) at Police Station Daba, District Ludhiana, Punjab.

Learned counsel for the petitioner has submitted that in the present case, the petitioner has only raised *lalkara* and he has been attributed a simple injury.

Notice of motion.

On advance notice, Mr. N.K. Banka, DAG, Punjab, appears and accepts notice on behalf of the State and has stated that he is fully prepared to argue the matter and assist this Court. He, on instructions from SI Ranjit Singh, has submitted that in fact, the nick name of the petitioner is Pandit and he was armed with *datar* and apart from raising *lalkara*, he had also

given a *datar* blow on the right wrist of the complainant and the said injury is grievous in nature and in fact, the complainant had to undergo a plastic surgery. It is further submitted that the complainant had suffered three injuries out of which two injuries were grievous in nature and even on an earlier occasion, the petitioner had threatened the complainant with a beer bottle.

Keeping in view the abovesaid facts and circumstances, moreso the fact that an attribution has been made to the petitioner of having inflicted a grievous injury upon the right wrist of the complainant with a *datar* on account of which the complainant had to undergo plastic surgery and also the fact that the petitioner had been attributed a *lalkara* and on earlier occasion also, he had threatened the complainant with the beer bottle and the fact that the complainant had suffered three injuries out of which two injuries were grievous in nature, the present petitioner does not deserve the grant of concession of anticipatory bail.

Accordingly, the present petition is dismissed.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

11.11.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No