

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

CRM-M No.49540 of 2021

Date of Decision: November 26, 2021

Kulbir Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Vipin Mahajan, Advocate for the petitioner.

Amol Rattan Singh, J. (Oral)

Case heard by way of video conferencing.

By this petition, filed under the provisions of Section 438 of the Cr.P.C, the petitioner seeks the concession of anticipatory bail, upon FIR no.49, dated 19.10.2019, having been registered at Police Station Kotli Surat Malian, Police District Batala, District Gurdaspur, alleging therein the commission of offences punishable under Sections 326, 324, 323, 148 and 149 of the IPC.

Learned counsel for the petitioner submits that, firstly, the occurrence allegedly being of 15.10.2021 at 5.30p.m., only Arjan Singh got himself admitted to the hospital on that date as per the MLR, Annexure P-2; and thereafter as regards the person to whom the petitioner is attributed the injury, i.e. Manjit Kaur, she got herself examined from hospital only on 16.10.2021, as per the MLR Annexure P-3.

He next submits that it is a case of one version with a cross version thereto also registered at the instance of the companion of the petitioner, and consequently, especially seeing that the injury attributed to the petitioner (though denied) is on a non-vital part of the body, he may be admitted to bail.

Having considered the above, what is first to be seen is that as per the allegations in the FIR, the petitioner along with his accomplices attacked the complainant and his companions, though of course whether it would be petitioners' party as was the aggressor, or the other side, would need to be determined by the police.

Even so, some of the injuries on both sides having been caused by sharpened edged weapons, with the injury attributed to the petitioner being a bone deep cut on the *ulna* of Manjit Kaur, without making any comment on the actual merits of the case, I do not consider this to be a fit case where the petitioner can be granted the concession of anticipatory bail.

Hence, this petition is dismissed.

November 26, 2021

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(AMOL RATTAN SINGH)

JUDGE

Whether reasoned/speaking: Yes

Whether reportable: No