

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

104+201

CRM-M-51974-2019 (O&M)

Date of decision : 16.11.2021.

Dilbagh Singh

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

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

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Vipin Mahajan, Advocate for the complainant.

Anupinder Singh Grewal, J. (Oral)

CRM-38140-2021

Case taken up through video conferencing.

This application is for placing on record a copy of the complaint and zimini orders as Annexures P-8 & P-9 respectively.

Heard. For the reasons stated in the application, the same is allowed and Annexures P-8 & P-9 are taken on record subject to all just exceptions.

Main case

The petitioner is seeking anticipatory bail in FIR No.34 dated 13.06.2019, under Sections 452, 324, 323, 148, 149 IPC and Section 3(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'the SC/ST Act'), (Sections 307, 447 and 511 IPC added later on), registered at Police Station Taragarh, District Pathankot.

Learned counsel for the petitioner contends that previously a civil dispute between the petitioner and the victim/injured was decided in favour of the petitioner and the victim was restrained from interfering in the peaceful possession of the suit property. He further contends that the alleged occurrence in the FIR was an aggression on the part of the victim who came to the property of the petitioner. The brother of the petitioner was also beaten up in the incident.

Learned counsel for the complainant, however, contends that the hand of the victim/injured was almost chopped off. He has referred to the photographs of the injured in this regard at Annexure R-4. He also contends that the petitioner had uttered derogatory words in a public place which also constitutes a *prima facie* case under the SC/ST Act.

Learned State counsel, upon instructions from ASI Nachhatar Singh, states that in view of the serious allegations against the petitioner, he is not entitled to the concession of anticipatory bail.

Heard.

The hand of the victim was almost chopped off. The photographs of the injured in this regard are at Annexure R-4.

In view of the serious allegations against the petitioner having nearly chopped off the hand of the injured, I do not deem it a fit case to grant the concession of anticipatory bail to the petitioner.

Consequently, the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

November 16, 2021

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