

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-546-2022
Date of decision : 30.03.2022

Robin

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr. Chirag Suri, Advocate
for Mr. Vishesh Dogra, Advocate
for the petitioner.

Mr.Sukhbeer Singh, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.227 dated 14.11.2021 registered under Sections 323, 326, 427, 506, 148 and 149 IPC at Police Station Division no.6, District Jalandhar.

Learned State counsel, at the very outset, has pointed out that in spite of two opportunities given, the petitioner has not joined the investigation and even the iron rod which the petitioner had used to inflict injury upon Samuel Bhatti has not been recovered from him.

Learned counsel for the petitioner does not dispute the above said facts.

Since the petitioner has not joined the investigation, the petitioner does not deserve the concession of anticipatory bail. The present FIR was registered on the statement of Samuel Bhatti, who has stated that

he along with his brother, was standing at his house when, the present petitioner armed with iron rod along with other persons had arrived and attacked said Samuel Bhatti and his brother and the petitioner had inflicted injury with his iron rod on the right side of left ankle of the complainant and the other co-accused had also inflicted injuries upon the said complainant Samuel Bhatti. As per the MLR, there were total three injuries. Injury no.1 was a head injury, injury no.2 was a fracture on the left ankle whereas, injury no.3 was dislocation of the left ankle. A perusal of the above FIR would show that specific attribution has been alleged to the present petitioner who had given injuries to the complainant with an iron rod and in spite of two opportunities, the petitioner has not joined the investigation nor has got the said iron rod recovered.

Keeping in view the above said facts and circumstances, the present petition deserves to be dismissed and accordingly, the present petition is dismissed.

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 petition.

(VIKAS BAHL)
JUDGE

March 30, 2022

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No