

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

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**CRM-M-3515-2022 (O&M)
Date of Decision : 28.01.2022**

Kuldeep

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. S.S.Nain, Advocate for the petitioner.

Ms. Ambika Sood, Addl. AG Haryana.

Mr. Ashish Grewal, Advocate for the complainant.

ALKA SARIN, J. (Oral)

Taken up through video conferencing.

The prayer in the present petition filed under Section 438 CrPC is for grant of anticipatory bail to the petitioner in FIR No.9 dated 11.01.2022 under Sections 324, 506 (later on added Section 326) of IPC, 1860 registered at Police Station Sadar Jagadhri, District Yamunanagar.

Learned counsel for the petitioner would contend that the petitioner was not present at the spot and he has been falsely implicated in the case due to a previous enmity over the drain. Learned counsel has further contended that the injury was not caused with an axe but with bricks.

Learned counsel for the complainant has contended that there is no history of any previous enmity. It is further the contention that the grievous injuries were received by Ankit (son of the complainant). As per the MLR, the injured had bleeding from left ear, two lacerations behind the

pinna with suspected sharp injuries and abrasion with swelling over left forehead. Further, CT scan report dated 11.01.2022 indicated a fracture of petrous part of the left temporal bone with possible extension into antero-inferior part of left external auditory canal.

Learned State counsel on instructions from Sub-Inspector Balbir Singh has stated that the MLR clearly indicates that the injuries received were on the ear and on the fore-head.

Heard.

In the present case, the petitioner has been named in the FIR and specific injuries have been attributed to him, which stand reflected in the MLR, which was placed on the record before the trial Court and finds mentioned in the order of the Trial Court. Para-8 of the Trial Court's order reads as under :

“8. In the present case the allegations reflect serious nature of occurrence whereby allegedly the applicant/accused caused serious injuries to injured with sharp weapon. The allegations further reflect attribution of injuries to the applicant/accused. The MLR of injured indicates left bleeding, two laceration behind the pinna with suspected sharp injuries and abrasion with swelling over left forehead. Further, CT scan report dated 11.01.2022 indicate a fracture of petrous part of the left temporal Bone with possible extension into antero-inferior part of left external auditory canal”

The allegations made against the petitioner are serious in nature. The argument of the learned counsel for the petitioner that the said

injuries were caused by bricks cannot be gone into at this stage. Suffice it to say that serious injuries have been received by the injured which have specifically been attributed to the petitioner.

In view of the above, I do not find this to be a fit case for grant of anticipatory bail to the petitioner.

Dismissed.

January 28, 2022

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(ALKA SARIN)

JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO