

213

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

CRM-M No.8185 of 2022 (O&M)

Date of decision: 15.03.2022

Najim

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Mohammad Arshad, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.116 dated 07.08.2021 registered under Sections 148, 149, 323, 324, 326, 506IPC at Police Station Rozka Meo, District Nuh (Mewat).

Counsel for the petitioner has argued that a complaint was given by the complainant that there was a vacant plot adjoining her residential house in Khasra No.54 and the accused party intends to forcibly possess the same. On 25.10.2020, she stopped the accused party not to tether their buffaloes in the said plot. Thereafter, all the assailants armed with lathi, danda, plasti, etc. came to her house and started hurling abuses and when she restrained them from doing so, Aamin, Akmal and Lallu caught hold of her son Naseem and gave him fists and leg blow. Thereafter, she raised alarm, on which Nasir and Aash Mohd. were attracted to the spot. Nasir was caught hold by Rajjak and Habib and were given danda blows. Najim i.e. the petitioner gave plasi blow aiming towards the head of Nasir and blow hit on his nose

and they also caused damage to her household articles and their vehicle with brick bats and stones.

Counsel for the petitioner has further submitted that there is a delay in registration of the FIR and there is a variation in the opinion given by the doctor and the board of doctors regarding the weapon of offence as the doctor has opined that it is a sharp edged weapon whereas as per the opinion of the board of doctors, the nature of the weapon could not be commented upon.

Counsel for the State has argued that the main injury is attributed to the petitioner Najim. It is also submitted that in fact, it is a case of cross-version, which was got registered subsequently when the main FIR was registered immediately. Counsel for the State has further argued that the injury attracting Section 326 IPC is attributed to the present petitioner and therefore, he is not entitled to bail.

After hearing the counsel for the parties, considering the serious allegations against the petitioner, I find no ground to grant the concession of anticipatory bail to the petitioner, who has given a blow towards the head of the victim Nasir, which hit on his nose.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

15.03.2022
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No