

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

210

CRM-M-19743-2022
Date of decision: 15.07.2022

Pappu SinghPetitioner
Versus

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Jasvir Singh Dhaliwal, Advocate
for the petitioner.

Mr. Abhay Pal Singh Gill, AAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

This is the second petition filed under Section 439 of the Cr.P.C. for grant of regular bail to the petitioner in case FIR No.53 dated 22.03.2021 lodged under Section 326-A IPC registered at Police Station City 2 Mansa, District Mansa.

Learned counsel for the petitioner submits that after the withdrawal of the previous petition on 07.03.2022, the complainant has been examined which thus is a material change in circumstances to warrant entertaining the instant petition.

Learned counsel *inter alia* contends that the petitioner has been falsely implicated in the case in hand on the allegations that on the fateful day i.e. 21.03.2021, he walked to the house of the victim along with a bottle of acid and as soon as she opened the door, he threw the acid on her face which resulted in her receiving acid burns on her face, head and some other parts of her body. Learned counsel submits that in fact it was a totally concocted story because the complainant/victim had an axe to grind against the petitioner after their live-in-relationship

turned sour. He further submits that the petitioner has now been in custody since 11.05.2021 and since the material witness i.e. the complainant/victim already stands examined, his further incarceration would serve no useful purpose moreso as it will take time for the trial to conclude.

Per contra, learned State counsel on instructions from ASI Kuldeep Singh, has vehemently opposed the prayer and submissions made by the counsel opposite. He, on instructions submits that the complainant while stepping into the witness box fully supported the case of the prosecution and gave a vivid detail of how the petitioner carried out the crime in question which resulted in her receiving serious burns on her body including face. He further submits that the MLR of the victim also fully corroborates the case of the prosecution. A prayer has, therefore, been made that in the wake of serious and specific allegations levelled against the petitioner, the instant petition be dismissed.

I have heard learned counsel for the parties and perused the material placed on record.

A perusal of the FIR in question reveals that it was prima facie a premeditated attack inasmuch as the petitioner went to the house of the victim at 10 P.M. on 21.03.2021 and attacked her by throwing acid on her. On account of the attack, the complainant suffered burns on her person including her face. In the wake of the serious allegations levelled against the petitioner of having committed a heinous crime, he does not deserve the concession of bail.

Dismissed.

However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

15.07.2022

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No