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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25166-2022 (O&M)

Date of Decision: June 02, 2022

Boby @ Bobby Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Abhiraj Singh Baweja, Advocate
for the petitioner.
Ms.Sakshi Bakshi, AAG, Punjab.

.....

RAJESH BHARDWAJ, J.(ORAL)

Instant petition has been filed under Section 438 Cr.P.C. praying for grant of anticipatory bail to the petitioner in case FIR No.162, dated 31.12.2019, under Sections 452, 326, 323, 354-A, 506, 148, 149 IPC, registered at Police Station Raja Sansi, Amritsar.

Counsel for the petitioner submits that the petitioner has been falsely implicated in the FIR. He has submitted that the occurrence in question took place on 20.12.2019 whereas the FIR was lodged after 11 days, i.e. on 31.12.2019. He also submitted that on the earlier occasion, FIR No.111 was registered against the complainant from petitioner's side and hence due to rivalry between the parties, the present FIR has been lodged. He has submitted that learned Additional Sessions Judge, Fast Track Court, Amritsar has declined the anticipatory bail of the petitioner erroneously and thus, the petitioner deserves to be granted concession of anticipatory bail.

Heard.

After hearing the petitioner and perusing the record, it is apparent the petitioner is duly named in the FIR. He has been alleged to have been armed with *kirpan*. He caused injuries to the complainant which was declared to be grievous. Besides this, FIR was lodged way back on 31.12.2019 and the petitioner has approached the learned Additional Sessions Judge, Fast Track Court, Amritsar, after about two years, which prima facie shows that petitioner is evading arrest.

Learned State counsel, on instructions from ASI Manjit Singh, also submitted that in all there are 9 accused in this case out of which six accused have already joined the investigation, however, rest of the three accused including the petitioner are evading arrest.

Keeping in view the conduct of the petitioner and the attending facts and circumstances of the case, the Court finds that the petitioner does not qualify for concession of anticipatory bail.

The present petition being devoid of any merit is hereby dismissed.

June 02, 2022
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(RAJESH BHARDWAJ)
JUDGE

1. Whether speaking/reasoned ?
2. Whether reportable ?

Yes/No
Yes/No