

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

CRM-M-39399-2022

DECIDED ON: 1st SEPTEMBER, 2022

SUNNY JINDAL @ SUNNY SHARMA

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Kuldeep Kumar Sarthi, Advocate
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J

The instant petition has been filed for grant of anticipatory bail in FIR No. 104, dated 10.05.2022, under Sections 365, 323, 325, 148 and 149, registered at Police Station Division No.7, District Police Commissionerate, Ludhiana.

The FIR was registered at the instance of Harsh Kumar on the allegations that on 09.05.2022 he was called by Sunny Jindal and Bali Jindal at Sector 32 to talk with regard to compromise the matter as dispute is going on since long in between them. On their asking he, alongwith his father Jajji Ravi Kumar, reached there. At about 7.00 PM Bali Jindal, armed with iron Dat, Sunny Jindal, empty handed, Niku and Sarabjit Singh along-with 10-12 unknown persons were standing alongside vehicle No. PB-10-GU-8888,

make swift. They forcibly threw him and his father in their vehicle and took them from there while beating. In the car, Sunny Jindal gave fist blows and Bali Jindal gave Dat blows from its reverse side near mouth, nose and on other parts of the body. His father was also beaten on the back side of the police station at dark place with kicks, brick-bats and glass bottles, due to which his father received multiple injuries on the left side of his chest. Meanwhile, his friend Partham and his mother Poonam Rani came there for their rescue. Mansi Jindal gave fist blows to his mother, Sunny Jindal and Bali Jindal hit empty bottle on the head of his friend Pratham. On raising hue and cry, all the afore-said persons ran away from the spot on their vehicle.

Learned counsel for the petitioner submits that the allegations against the petitioner are false and even from the reading of FIR, no offence under Section 365 IPC is made out. More so, it is a case of simple injury only. He further submits that it is a case of version and cross version.

Learned State counsel opposes the prayer and submits that petitioner was amongst 10-12 unidentified persons and a specific role has been attributed to the petitioner. Accordingly, he prays for dismissal of present petition.

As per the MLRs, Harsh Kumar received five injuries on his person, Ravi Kumar received seven injuries on his person, Poonam Rani received five injuries on her person and Pratham received two injuries on his person. On receipt of report of injuries on the person of Ravi Kumar, it was found that accused caused grievous injuries on the vital part of Ravi Kumar, father of the complainant, whereafter vide DDR No. 31, dated 08.06.2022

offence under Section 308 IPC was added.

Keeping in view the allegations against the petitioner and the fact that the petitioner is the member of unlawful assembly formed by the accused persons, this Court does not deem it a fit case for grant of concession of anticipatory bail to the petitioner.

Accordingly the present petition stands dismissed.

1st SEPTEMBER, 2022
sham

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>