

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40929-2022
Reserved on: 08.09.2022
Pronounced on: 09-09-2022

Narayan Ram @ Narain Ram @ Goldi Sharma ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. PKS Phoolka, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
096	02.06.2022	Bhikhi, District Mansa	307, 341, 323, 34 IPC

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 438 CrPC seeking anticipatory bail.
2. In paragraph 9 of the bail petition, the accused declares that he has no criminal antecedents.
3. The petitioner had hit a stick on the victim's head due to which he fell down and after that Baljinder Singh hit a stick on his chest.
4. Ld. Counsel for the petitioner contends that the custodial investigation would serve no purpose whatsoever, and the pre-trial incarceration would cause an irreversible injustice to the petitioner and family.
5. Ld. counsel representing the State opposes bail.

REASONING:

6. The petitioner's counsel seeks bail on parity with Baljinder; however, the petitioner Goldy had inflicted an injury on the victim's head which is corroborated by MLR, whereas the injury attributed to the Baljinder was a stick blow on the chest. Thus, the petitioner is neither entitled to bail on merits nor on parity.

7. The allegations are serious and offence heinous. The evidence collected so far points out that the petitioner brutally assaulted the victim, and the nature of injury does not entitle the petitioner to bail at this stage.

8. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner fails to make a case for bail at this stage.

9. Any observation made hereinabove is neither an expression of opinion on the case's merits, neither the court taking up regular bail nor the trial Court shall advert to these comments.

Petition dismissed in aforesaid terms.All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

Sep 09, 2022
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Whether speaking/reasoned:	Yes
Whether reportable:	No.