

294 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-58501 of 2022(O&M)

Date of Decision: 16.12.2022

Mohit Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Anupam Bhardwaj, Advocate
For the petitioner.

Mr. M.S. Nagra, AAG Punjab.

Mr. Vaibhav Narang, Advocate
For the complainant.

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 438 Cr.P.C. seeking anticipatory bail in case having FIR No. 179 dated 23.09.2022, registered under Sections 379-B(2), 341, 323, 148 and 149 IPC at Police Station Ranjit Avenue (Police Commissionerate Amritsar).

The counsel for the petitioner, *inter alia*, submits that the only allegations against the petitioner are that co-accused Sonu and Karan assaulted complainant Madhu Bala and snatched her purse. The counsel for the petitioner further submits that the petitioner has been falsely implicated in the present case at the instance of the complainant, who is working in a private hospital at Amritsar and is having some dispute with aforesaid Sonu and Karan, who are also working in the same hospital. The counsel for the

petitioner further submits that the petitioner is having no concern with the said hospital or its employees including the complainant and co-accused Sonu and Karan. The counsel for the petitioner further submits that no specific injury or the act of snatching of purse is attributed to the petitioner. The counsel for the petitioner further submits that the petitioner who is having no criminal history is ready to join the investigation.

The present petition is resisted by the State counsel as well as counsel for the complainant. The State counsel submits that the petitioner is named in the FIR as per which the complainant was attacked and the accused persons snatched her purse and at the time of the occurrence, the complainant also sustained injuries. The State counsel further submits that the snatched articles are yet to be recovered and the custody of the petitioner is required.

I have considered the submissions made by counsel for the parties.

There are serious allegations appearing on record, that on 22.09.2022 at about 9:15 p.m. the complainant was going back to her house after doing duty in hospital and on the way she was intercepted by 4/5 boys armed with baseball bats and *datar* and two of them were having muffled faces and one of the miscreants was Karan who was working in the same hospital and all of them attacked the complainant and caused injuries to her and while going away they also snatched purse of the complainant which was containing Rs.5,000/- and some other articles. There are also allegations that the aforesaid attack was committed at the instance of co-accused Rajiv

Kumar @ Sonu who was nursing grudge against the complainant. The

petitioner has been named in the FIR and he is facing serious allegations of assault and snatching of purse from a lady.

For the foregoing reasons, this Court is of the considered view that the petitioner is not entitled to get benefit of anticipatory bail. Consequently, without commenting on the merits of the case, the present petition is dismissed. However, any observation made hereinabove is not to be considered as expression of opinion on the merits of the case.

16.12.2022
Jiten

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No