

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

Sr. No.104

CRM-M-6734-2023

Date of Decision : February 08, 2023

Abhishek Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Navneet Singh, Advocate, for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks anticipatory bail in FIR No.276, dated 26.12.2022, registered at Police Station Buria, District Yamuna Nagar, under Sections 148, 149, 323, 506 IPC (Sections 325 & 307 IPC added later on).

According to the contents of the FIR, the accused persons came in a white coloured Swift Dzire Car and knocked down the son of the complainant while he was returning from school. Thereafter, he was assaulted with iron rods and bamboo sticks resulting in injuries on both legs and both hands and other body parts.

Learned counsel for the petitioner submits that the petitioner has not been named in the FIR and no particular injury is attributed to him. Section 307 IPC is not attracted as there is no injury on the vital part of the body. Thus, the petitioner may be granted anticipatory bail.

At this stage, learned State counsel submits that the son of the complainant has fractured both his arms and legs apart from other injuries. The CCTV footage of the incident is available wherein the petitioner can be seen clearly. Motive also exists as the son of the complainant was having an affair with a girl related to co-accused Digvijay Singh.

From the above, it is evident that the petitioner and his co-accused have allegedly committed a serious crime. Even if it is assumed that Section 307 IPC is not attracted, the nature of the act does not entitle the petitioner to grant of anticipatory bail.

The petition has no merit and is dismissed.

February 08, 2023

Ankur

Whether speaking/reasoned

Whether Reportable

(SUDHIR MITTAL)

JUDGE

Yes

No