

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.101

CRM-M-7198-2023

Date of decision: 15.02.2023

Naresh Kumar

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Kamal Narula, Advocate
for the petitioner.

Mr. Arun Luthra, DAG, Punjab.

Mr. Vipin Kumar, Advocate
for the complainant.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.13 dated 17.01.2023 registered under Sections 307 and 149 IPC at Police Station Civil Lines, Bathinda, District Bathinda.

Briefly stated, the case of the prosecution is that the complainant and the petitioner are neighbours who had strained relations; on 17.01.2023 at about 3.00 P.M., when the complainant was standing in front of his house the petitioner and his brother Mukesh threw petrol upon him after which Golu son of Dinesh put a burning match stick upon him due to which he suffered burns; when the complainant raised an alarm people gathered; the fire was doused and he was taken to the hospital for treatment.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case on account of strained relations between the petitioner and the complainant; the petitioner has no other criminal antecedents and that on 17.01.2023 the petitioner was at the place of his employment in proof of which attention of this Court is drawn to the attendance register where the petitioner has been marked present on 17.01.2023.

Learned State counsel, who appears on advance notice, has produced the complainant's and his wife's MLRs and seeks denial of anticipatory bail to the petitioner on the ground that he has caused serious burn injuries to the complainant as also for the reason that the petitioner has apparently fudged the attendance register to save himself from the case in hand.

Learned counsel for the petitioner has been heard at length and with his able assistance the material on the record has also been perused.

The petitioner and his co-accused are alleged to have attempted to murder the complainant by throwing petrol and then a lighted match stick on him. The complainant's MLR clearly shows burns not only on both his hands but also all over his face and neck. The *alibi* sought to be pressed in service by the petitioner, at this stage, will be of no help to him as the attendance register only shows him to have been marked present but whether he was at the place of his employment at the time when the offence in question was committed needs to be investigated.

In the light of the above, no ground is made out to grant the petitioner to the concession of the anticipatory bail.

Dismissed.

February 15, 2023
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No