

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

CRM-M-8214-2023
Decided on : 16.02.2023

Davinder Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in FIR No.02 dated 02.01.2023 for the offences under Sections 148, 149, 307, 323, 324 and 506 IPC registered at Police Station Shahabad District Kurukshetra.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the case in hand in collusion with the police. Learned counsel submits that the delay of two days in lodging of the FIR in question further lends credence to the false implication of the petitioner, more so, when the name of the petitioner is Davinder Singh s/o Jeet Singh and not Devender Kumar s/o Ajit Singh. Learned counsel has vehemently argued that as per the allegations levelled in the FIR (Annexure P-1) the petitioner allegedly inflicted knife blows on the person of the injured on 'New Years' Eve party, however, it could not be believed that in case, the alleged occurrence had indeed taken place and the injuries inflicted at the party, the injured would not have been removed to a Government

Hospital, which was just 2 kms away but to a private hospital at a distance of about 20 kms. Learned counsel further submits that the petitioner is innocent and ready to join investigation and cooperate with the investigating agency.

Heard learned counsel and perused the relevant material available on record.

As per the allegations levelled in the FIR (Annexure P-1), the petitioner along with the co-accused went to a hotel in the evening of 31st December in an inebriated condition. While dancing, the accused including the petitioner started scuffling with the injured as they were not pleased with the music that was being played. Thereafter, the petitioner, who was armed with a knife, inflicted continuous blows on the abdomen of the injured as well as on his right hand fingers. The injuries attributed to the petitioner on the abdomen were declared to be dangerous to life.

In the facts and circumstances as enumerated hereinabove, particularly keeping in view the injuries allegedly inflicted, on the vital part of the body of the injured i.e. abdomen, this Court is not inclined to extend the concession of anticipatory bail to the petitioner. Accordingly, the present petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

16.02.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No