

(205)

2023:PHHC:096880

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15164 of 2022

Date of Decision: July 28, 2023

Ajay Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Mandeep Kumar Dhot, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

Mr. S.S. Virk, Advocate for the complainant.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition is for grant of anticipatory bail in case FIR No.41 dated 22.02.2022 registered under Sections 341, 324, 506, 34 IPC and Section 326 IPC (added later on) at Police Station Bhawanigarh, District Sangrur.

As per the allegations, petitioner and his brother Rajiv entered the shop of complainant – Pardeep Singh at about 06:10 P.M. Petitioner Ajay Kumar was having a kirch in his hand. Both of them encircled Harwinder Singh, brother of complainant Pardeep, caught hold of him and then Ajay gave a kirch blow on the left cheek of Harwinder Singh and then reverse kirch blow on the face/teeth. As the complainant Pardeep Kumar came forward to the rescue of his brother, Ajay gave kirch blow in front of his forehead.

It is contended by learned counsel for the petitioner that the petitioner has been falsely implicated; that some of the people had made a

video of the occurrence revealing that complainant party had entered the shop of petitioner and had given beatings to them. That video was even supplied to the Police officials but no action was taken. However, DDR/GD No.039 dated 08.03.2022 under Sections 452, 323, 506, 148, 149 IPC was registered. It is submitted that petitioner is ready to join the investigation and that in the circumstances, he be allowed anticipatory bail.

Strongly opposing the bail petition, learned State Counsel as well as learned counsel for the complainant has drawn attention towards the medico legal reports of injured Harwinder Singh as well as that of Pardeep Singh, as duly referred in para No.3 of the police reply, revealing that two injuries were found on the person of Pardeep and four on the person of Harwinder Singh. Injuries on the person of Harwinder Singh include injury to his left cheek, upper jaw, head and thigh. Injuries on the left cheek and upper jaw are clearly attributed to petitioner Ajay Kumar; having been caused by Kirch. Injury No.1 has been opined by the Doctor to be grievous in nature.

Having regard to the afore-said facts and circumstances and the specific role attributed to the petitioner, this is not a fit case for grant of anticipatory bail.

Dismissed.

July 28, 2023

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(DEEPAK GUPTA)

JUDGE

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