

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

**CRM-M-18965-2023
DECIDED ON: 19.04.2023**

RAVINDER KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Lalit Goyal, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The instant petition under Section 438 Cr.P.C., has been filed for grant of anticipatory bail to the petitioner in FIR No.13, dated 12.01.2023, under Sections 308, 323, 148, 149 of IPC, 1860, registered at Police Station Gidderbaha, District Sri Muktsar Sahib (Annexure P-1).

Learned counsel for the petitioner at the outset contends that the co-accused namely Ramu @ Shri Ram Chander has been granted concession of anticipatory bail vide order dated 13.03.2023 (Annexure P-3) by this Court passed in CRM-M-12286-2023 and the petitioner is situated at parity.

Notice of motion.

On the asking of Court, Mr. Rajiv Verma, DAG, Punjab accepts notice on behalf of respondent-State, who informs the Court that the petitioner gave a kirpan blow on the head of the injured and as per the medical opinion, it has been referred for Orthopaedic examination. It will be only concluded after the final medical opinion from the Orthopaedic Department of that

Hospital.

It is also asserted by learned State counsel that co-accused namely Ramu @ Shri Ram Chander was granted the concession of anticipatory bail only on account of the fact that he did not give any injury whatsoever and was armed with an iron rod.

Be that as it may, looking into the totality of facts and the gravity of offence attributed against the petitioner, he cannot be termed to be at parity with the co-accused Ramu @ Shri Ram Chander and the mens rea against the petitioner is apparent on the face of record, who has given a kirpan blow on the head of one of the injured, therefore, this Court is of the firm view that the petitioner does not deserve the concession of anticipatory bail in such like offence.

Hence, the present petition being devoid of merits stands dismissed.

(SANDEEP MOUDGIL)
JUDGE

19.04.2023

Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>