

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

102

2023:PHHC:132214

CRM-M-51556-2023

Date of decision: October 11th, 2023

Piara Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Aditya Sanghi, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in case FIR No.44 dated 13.04.2023 registered under Sections 323/324/427/458/148/149/325/326/459 of the IPC registered at Police Station Sangat, District Bathinda.

2. While drawing the attention of this Court to the allegations levelled in the FIR, learned counsel for the petitioner submits that he has been attributed an injury with an axe on the left arm and backside of the head of the complainant, however, both these injuries were declared to be simple in nature.

3. On a pointed query put to the learned counsel qua the antecedents of the petitioner, learned counsel appearing for the petitioner has fairly conceded that the petitioner has been involved in two other criminal cases in the past, out of which in one he was convicted under Section 302 of the IPC. It has also been very fairly conceded by the learned counsel for the petitioner that the crime in question was committed by the petitioner after his conviction under Section 302 IPC, after his sentence was suspended.

4. In the facts and circumstances as enumerated hereinabove, *prima facie*, it is evident that the petitioner, after being released on bail, subsequent to his conviction in a case under Section 302 of the IPC, has misused the concession granted to him and been involved in another crime. Therefore, he does not deserve the extraordinary extraordinary concession of anticipatory bail.

5. The instant petition, therefore, stands dismissed.

6. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

October 11th, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No