

107 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50089-2023
Decided on : 05.10.2023

Somesh Rana @ Sonu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Manoj Kumar Pundir, 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 case FIR No.174 dated 15.06.2023 under Sections 323, 34, 506 (Section 326 and 307 IPC added later on) registered at Police Station Chhapar District Yamuna Nagar.

2. Learned counsel for the petitioner *inter alia* contends that the false implication of the petitioner in the case in hand is evident from the fact that despite being well known to the complainant, he was not named in the FIR. Learned counsel submits that it was only on the basis of the statement made by injured Amardeep, which too was recorded after a considerable delay, he came to be nominated as an accused in the case in hand. Learned counsel has further submitted that no specific injury has been attributed to him in the occurrence in question and even otherwise no recovery of any weapon is required to be effected from him, hence, his custodial interrogation would serve no useful purpose.

3. Heard learned counsel and perused the relevant material on record.
4. *Prima facie*, a perusal of the FIR (Annexure P-1) reveals that there are serious allegations levelled against the petitioner, who along with other co-accused, in furtherance of their common intention inflicted grievous injuries on the person of injured Amardeep Singh with lethal weapons, which they were carrying at the time of occurrence in question. Resultantly, injured Amardeep lost not only vision of his left eye but also sustained multiple fractures. No doubt, the petitioner was not named in the FIR, however, on attaining consciousness, the injured specifically named the petitioner as being one of the assailants. Furthermore, two other co-accused also during their interrogation, disclosed the role of the petitioner in the crime in question.
5. In view of the seriousness of the allegations levelled, the petitioner does not deserve the concession of anticipatory bail. Accordingly, the present petition stands dismissed. 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.

(MANJARI NEHRU KAUL)
JUDGE

05.10.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No