

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

210

**CRM-M-60125-2022
Date of decision: 09.01.2023**

PARVEEN KUMAR

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. S.K. Tripathi Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.0153 dated 19.07.2022 lodged under Sections 148, 149, 323, 325, 506, 307 and 120-B of the Indian Penal Code, 1860 and Sections 25, 54 and 59 of the Arms Act, 1959 registered at Police Station Rozka Meo, District Nuh.

Learned counsel for the petitioner submits that the only role attributed to the petitioner is a blow with the pistol on the face of the injured, which he was carrying at the time of alleged occurrence, and that he had fired in the air with the pistol. Learned counsel submits that no empty cartridge was recovered from the spot, which clearly hints at a fabricated version having been brought forth in the FIR in question.

Learned State counsel, on instructions from ASI Umer Mohammed, has submitted that on the previous date of hearing learned counsel for the petitioner had made a wrong statement that offence

under Section 307 of the IPC had been deleted. He submits that Section 307 of the IPC still stands. Learned State counsel further submits that the petitioner along with the co-accused in a pre-planned manner went to the place of occurrence in the dead of the night, armed with lethal weapons when the complainant along with his son was sleeping in his fields. On reaching the spot, the petitioner fired from his pistol towards the complainant which, however, missed the target. Thereafter, the petitioner inflicted iron rod blows on the legs of the complainant as a result of which he received various injuries on his person. Learned State counsel submits that the accused party was nursing a grudge against the complainant as the latter, despite being pressurized by the former to enter into a compromise qua a criminal case registered by the complainant against co-accused had refused to do so. Learned State counsel submits that the petitioner played a very active role in the crime in question which is supported by the medical evidence as well.

Prima facie there are specific and serious allegations levelled against the petitioner of not only firing from a pistol at the complainant but also of inflicting iron rod blows on the legs of the complainant as a result of which he received various injuries on his person. This Court, thus, does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

Dismissed.

09.01.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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