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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No.19265-2024
Date of Decision:-21.05.2024

PARVINDER SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Mukesh Verma, Advocate, for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.
Mr. Hitender Kansal, Advocate for the complainant.

SANJIV BERRY, J (ORAL)

By way of the present petition filed under Section 438 Cr.P.C the petitioner is praying for anticipatory bail in the event of arrest in FIR detailed as under (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
25	30.01.2024	323, 341, 506, 34 IPC (308, 452 IPC added later on)	City Kharar, SAS Nagar, Mohali

2. Brief facts of the case are that the instant case was registered by Naresh Kumar complainant alleging that on 29.01.2024, at about 05:30 PM while he was returning from his work, he received a phone call from his wife Rupinder Kaur that their neighbour Priyanka was using abusive language alleging that they made their dog defecate in front of their house. When the



complainant reached home, Parvinder Singh present petitioner (husband of Priyanka) came in front of their house on his car at high speed and immediately after alighting exhorted that he will teach him a lesson. Upon this, complainant came out of his house and tried to pacify them that they should not fight over a petty matter. Thereafter, petitioner Parvinder Singh armed with some sharp object intruded into the house of the complainant and inflicted some blows on his head and his wife Priyanka struck a danda on his head and Narinder Punia armed with brick hit the same on his head. Complainant fell down on the ground and all the assailants with the intention to kill him assaulted him. On raising hue and cry some neighbours came to rescue and rushed him to the hospital, as such on these allegations, FIR was registered.

3. Learned counsel for the petitioner *inter alia* contends that the petitioner is innocent and has been falsely implicated in this case. He submits that wife of the petitioner has already been granted concession of anticipatory bail and the petitioner is ready to join the investigation. As such, he prays for grant of concession of anticipatory bail to the petitioner.

4. *Per contra*, learned State counsel assisted by learned counsel for the complainant have assailed the submissions made by the learned counsel for the petitioner by referring to the reply dated 17.05.2024 and also the photographs of the injured placed on record which show that the accused had trespassed into the house of the complainant over a petty matter and had caused multiple injuries on the person of the complainant, as such petitioner does not deserve concession of anticipatory bail.



5. After hearing the respective submissions and perusing the record, it transpires that petitioner had trespassed into the house of the complainant over a petty matter and had caused multiple injuries on the person of the complainant. The injuries sustained by the complainant happens to be on his head which is a vital part of the body. The petitioner is alleged to have caused the injury on the head of complainant with some sharp edged object. The recovery of weapon used by the petitioner is yet to be effected, for which custodial interrogation of the petitioner is required.

6. Therefore, considering the facts and circumstances of the present case and the nature and gravity of the offence, no case is made out in favour of the petitioner for grant of anticipatory bail, as his custodial interrogation is required to recover the weapon used in the occurrence. Accordingly, finding no merit in the present petition, the same is hereby dismissed.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

21.05.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |