

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

103

CRM-M-21828-2024 (O&M)
Date of decision: 02.05.2024

Chandan OberoiPetitioner

Versus

State of Punjab and anotherRespondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ruhani Chadha, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.59 dated 28.03.2024 under Sections 323, 324, 458, 341, 307, 506, 148 and 149 of the Indian Penal Code, 1860, registered at Police Station City Rupnagar, District Rupnagar.

2. Learned counsel for the petitioner *inter alia* contends that a highly exaggerated and false version has been brought forth in the FIR in question which has been annexed as Annexure P-1. Learned counsel submits that in fact the petitioner was not even present on the fateful day at the relevant time at the place of occurrence as he was away to Dehradun and had left prior in time around 06:30 PM. He submits that just to settle personal scores, the complainant had distributed the roles and injuries to all the accused and thus falsely roped in the petitioner as well.

3. I have heard learned counsel and perused the relevant material on record.

4. It is not disputed that soon after the occurrence in question the injured was removed to the hospital with multiple serious injuries on his person including multiple kirch blows on his head which have been attributed to the petitioner in the FIR in question. The other co-accused were also armed with lethal weapons and attacked the complainant. It, prima facie, does appear to be a premediated attack. A perusal of the order passed by learned Additional Sessions Judge reveals that on account of the injuries sustained by the complainant, 92 stitches were applied on his head. In view of the serious and specific allegations levelled against the petitioner, he does not deserve the extraordinary concession of anticipatory bail.

5. Accordingly, the instant petition is hereby 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.

02.05.2024

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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