

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-24051-2024
Date of decision:22.05.2024

SonuPetitioner.

Versus

State of HaryanaRespondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Yashpal Thakur, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, DAG, Haryana

Mr. Rajinder Goel, Advocate,
for the complainant.

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SANJIV BERRY, J. (ORAL)

Status report dated 22.05.2024, filed in the form of affidavit of Deputy Superintendent of Police, District Ambala, on behalf of State-respondent, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 438 Cr.P.C, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
4	05.01.2024	148, 323, 324, 506, 149 IPC	Ambala Sadar, Haryana



3. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner has been falsely implicated in this case due to enmity in the village and in fact the petitioner happened to be the victim having sustained injuries in the incident qua which a cross-version has also been registered. He contends that the petitioner is not having any criminal antecedents and as such prays for grant of anticipatory bail.

4. *Per contra*, learned State counsel assisted by learned counsel for the complainant, while referring to the status report (*supra*), has submitted that the petitioner had specifically been named in the FIR having caused grievous injuries with sharp edged weapon, i.e. sword, on the nose of the complainant. He submitted that the custodial interrogation of the petitioner is required for effecting recovery of the weapon, hence, he prays for dismissal of the bail petition.

5. Considering the respective arguments and the perusing the record, it transpires that the instant case was registered on the complaint made by the complainant to the effect that on 05.01.2024, when the Sub Divisional Officer along with J.E. had come to the village due to some dispute of illegal electricity pole being installed there, in the process there had been heated arguments resulting the petitioner along with Sohan LaL, Saudagar Ram, Bansi Lal, attacking the complainant party. It is alleged that Sohan Lal and Saudagar Ram



caught hold the complainant while Bansilal along with Sonu Kumar and the petitioner gave swords blow on him. Hence, the FIR was registered. It is not disputed that cross version, i.e. FRI No. 006 dated 06.01.2024 under Sections 323, 506 IPC, was registered at P.S. Sadar, Ambala (Annexure P-3) on the very next date.

6. Keeping in view the facts and circumstances of the case, it is evident that the petitioner has been specifically named in the FIR itself and a specific role has been attributed to him qua having attacked the complainant with the sword. It has come out during investigation that the petitioner had hit with sword on the nose of the complainant causing grievous injury with sword; recovery of weapon of offence is yet to be effected for which the custodial interrogation of the petitioner is required.

7. Therefore, considering the nature and gravity of the offence, no case is made out in favour of the petitioners for grant of anticipatory bail. As a consequence, instant petition stands dismissed.

8. It is made clear that anything contained here in above shall not be construed to be an expression of opinion on the merits of the case.

22.05.2024
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(SANJIV BERRY)
JUDGE

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