



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

CRM-M No.28172 of 2024
Date of decision: 30th May, 2024

Vinay

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gagandeep S. Bajwa, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.70 dated 05.05.2024 under Sections 452, 427, 323, 324, 506, 379, 148, 149 of the IPC registered at Police Station B-Division, Amritsar.

2. While drawing the attention of this Court to the allegations levelled in the FIR in question, which has been annexed as Annexure P-1, learned counsel submits that though the other co-accused were named therein, however, name of the petitioner was conspicuously absent; it was after 2-3 days of the occurrence, the complainant by way of supplementary statement nominated the petitioner as an accused, which leaves no manner of doubt about a false case having been planted upon the petitioner. Learned counsel has submitted that even otherwise, the petitioner has not been attributed injuries on any vital part of the body of the complainant party, rather an injury had also been



sustained by one of the accused at the hands of the complainant party, which hints towards an embroidered version having been brought forth while registering the FIR in question.

3. I have heard learned counsel for the petitioner and perused the relevant material on record including the FIR in question.

4. No doubt, name of the petitioner is not mentioned in the FIR, however, the complainant had categorically alleged that along with the co-accused (who were named) one unidentified person armed with Datar had come to the office of the complainant and thereafter, all the assailants including the unidentified person, had indulged in hooliganism by breaking the glasses of the shop of the complainant and had thereafter, inflicted multiple injuries on his person. As per the supplementary statement, the petitioner has been attributed specific injuries with Datar on both hands of the complainant. Prima Facie, it does come across as a premeditated attack on account of the grudge which the accused party was holding against the complainant with respect to the shop which was purchased by the complainant some years prior to the occurrence in question from the father of one of the accused. All the accused were armed with lethal weapons at the time of occurrence. In the facts and circumstances as enumerated hereinabove, and the mode and manner in which the crime in question was given



effect to, the petitioner does not deserve the extraordinary concession of anticipatory bail.

5. The petition stands 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.

(MANJARI NEHRU KAUL)
JUDGE

May 30, 2024
rps

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