



CRM-M-37664-2024

-1-

213

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

CRM-M-37664-2024

Date of Decision:- 19.09.2024

Saurabh Kumar

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sumit Dua, Advocate
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Mr. Nimanyu Gautam, Advocate
for the complainant.

AMARJOT BHATTI, J.

Petitioner Saurabh Kumar has filed anticipatory bail petition under Section 438 Cr.P.C. in case FIR No. 154 dated 24.06.2024 under Sections 323, 324, 506, 452, 427, 148, 149 of Indian Penal Code, 1860 (Sections 307 and 325 of IPC added later on), registered at Police Station Rama Mandi, Jalandhar.

2. Facts of the case are Jaswinder Kaur complainant gave her statement that on 21.06.2024 at about 09:30 PM, a function was going on in someone's house at a distance of about 50 metres. Sound from the loudspeaker was loud. Paramjit Kaur, Amandeep Kaur and Mona had arguments with her husband. Her husband Malkinder Singh Saini just entered the house when 20-25 persons came after him carrying kirpans,

**CRM-M-37664-2024****-2-**

rods and bricks in their hands. Saurabh, Honey and Vicky gave brick blows. Her husband fell down and became unconscious. Her son tried to rescue his father. Anuj, Lucky and his brothers attacked her alongwith Krishna and Kanu. She was also given beating by Lucky alongwith others. They vandalized her house. In the said occurrence, they also damaged their car and *Chota Hathi*. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that no specific role is attributed to him. Allegations levelled against him are false. There is CCTV footage where present petitioner is not seen. Still photographs of said CCTV footage are Annexure P-3. Present petitioner had also suffered injury. Copy of his MLR is Annexure P-2. He is ready to join the investigation. It is prayed that his anticipatory bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State as well as learned counsel representing complainant. It is argued that husband of complainant Malkinder Singh Saini was seriously injured. As per his MLR, he suffered four injuries, out of which injury No. 3 was declared as grievous in nature. Other co-accused have been arrested but present petitioner is yet to join the investigation. He had given brick blows on the person of complainant's husband. Considering the specific allegations, petitioner is not entitled to be released on anticipatory bail.

5. I have considered the arguments and have gone through the record. Present petitioner is specifically named and specific role is also attributed to him. Injury No. 3 was declared grievous. Present petitioner is evading arrest. He is yet to join investigation. Considering the manner in

CRM-M-37664-2024

-3-

which offence has been committed, I do not find a fit case for grant of anticipatory bail to petitioner – Saurabh Kumar and same is accordingly, dismissed.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

19.09.2024

(AMARJOT BHATTI)

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JUDGE

Whether speaking/reasoned:

Whether reportable:

Yes/No

Yes/No