

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(204)

CRM-M-40782-2023
Date of Decision:-06.03.2024

Boota Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Kamal Narula, Advocate for the petitioner.

Mr. Siddharth Attri, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.282, dated 15.12.2022, registered under Sections 324, 323, 452, 506, 148, 149 of IPC (offence under Sections 326, 458, 459 of IPC has been added later on), at Police Station Sadar Fazilka, District Fazilka.

2. Learned State counsel has filed status report by way of affidavit of Shubeg Singh, PPS, Deputy Superintendent of Police, Sub-Division Fazilka, District Fazilka, which is taken on record. Copy of the same has been supplied to the counsel opposite.

3. Learned counsel for the petitioner has vehemently argued that there is inordinate delay of 96 days in lodging the FIR and more so, all other accused are either been granted the concession of bail or have been declared innocent by the Police and, hence, he prays that the concession of anticipatory bail be granted to the petitioner.

4. *Per contra*, learned State counsel has vehemently opposed the grant of extraordinary concession to the petitioner and has submitted on the strength of the status report filed that the injuries attributed to the petitioner have been declared grievous in nature and even as per the FIR repeated *Kapa* blows were given by the petitioner on the body of the victims.
5. After hearing learned counsel for the parties, this Court does not find that the petitioner has carved out a case for grant of anticipatory bail to the petitioner as the inflicted two *Kapa* blows were upon the head of Rashpal Singh and the same has been declared grievous in nature.
6. In light of the above, the present petition stands dismissed.

(ALOK JAIN)
JUDGE

March 06, 2024

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Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No