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

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Date of Decision:- 20.09.2024

Vijay Kumar

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Suram Singh Rana, Advocate and
Mr. Arvind Kumar Sharma, Advocate
for the petitioner.

Mr. Gautam Thapar, AAG, Punjab.

AMARJOT BHATTI, J.

Petitioner Vijay Kumar has filed first anticipatory bail petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 in FIR No. 68 dated 10.07.2024, under Section 115(2), 118(1), 126(2), 3(5), 117(2) and 304(2) of Bharatiya Nyaya Sanhita, 2023, registered at Police Station Payal, District Ludhiana.

2. As per the facts of case, Yadwinder Singh complainant gave his statement that on 08.07.2024 at about 10:00 PM, after taking dinner he was going towards his fields on motorcycle bearing No. PB-10-EF-6585 make Pulsar. When he reached near Amritsariya Motors, two young boys clean shaved were standing there, who were carrying iron rods in their hands. They suddenly opened attack on him with rods and caused injuries on his head and both arms. He also retaliated. He took out keys from their motorcycle and threw it in fields. Their motorcycle was bearing No. PB-

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55-E-6104 make Splendor. They had thrown him on the ground and took out his purse forcibly in which he was carrying ₹4500/- and some other important documents. On the hue and cry raised by him, Amaninder Singh and Harkirat Singh reached on the spot and both boys ran away towards the fields, leaving their motorcycle on the spot. Those boys were namely Vijay Kumar and Mohit Kumar, both residents of Payal. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that allegations levelled against present petitioner are false. He is not attributed any specific role. Allegations are vague. There is no motive behind the occurrence. Petitioner is ready to join the investigation. Therefore, his anticipatory bail petition may be allowed.

4. Status report is filed today, which is taken on record. Bail petition is opposed by learned counsel representing State. It is argued that there are specific serious allegations against the present petitioner. He is required to join the investigation. Weapon of offence is yet to be recovered. Present petitioner alongwith co-accused caused serious injuries to complainant. Alongwith status report, medical record of injured is also annexed.

5. I have considered the arguments and have gone through the record carefully. In the medical record annexed with status report of Sidhu Hospital Pvt. Ltd., there were seven injuries on the person of Yadwinder Singh. He was medically examined on the same day at about 11:00 PM. Specific role is attributed to petitioner and co-accused. Admittedly, weapon of offence and articles forcibly taken away by petitioner and co-accused are

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yet to be recovered. In FIR, present petitioner is specifically named. Therefore, considering the nature of allegations and its gravity, it is not a fit case for grant of anticipatory bail to petitioner – Vijay Kumar and accordingly, petition filed by him is dismissed.

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

20.09.2024

(AMARJOT BHATTI)

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JUDGE

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