



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

105

CRM-M-48407-2024

Date of decision: 26.09.2024

Mangu LalPetitioner
Versus

State of HaryanaRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Parveen Kaushik, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.0136 dated 24.06.2024 under Sections 148, 149, 323 and 506 of the IPC (Section 307 of the IPC added lateron), registered at Police Station Dujana, District Jhajjar.

2. Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the case in hand for allegedly assaulting the injured. While drawing the attention of this Court to FIR annexed as Annexure P-1, learned counsel submits that a false and fabricated case has been planted upon the petitioner which is evident from the fact that there was a delay of more than three months in the registration of the instant FIR which came to be registered only on 24.06.2024 whereas as per the allegations levelled, the incident in question took place on 25.03.2024. Learned counsel submits that even while getting himself medically examined pursuant to the alleged occurrence at a private hospital in Jhajjar, the complainant stated that he did not want any police action as he had himself sustained injuries



CRM-M-48407-2024

on his person. In support, learned counsel has drawn the attention of this Court to Annexure P-3. Learned counsel submits that even otherwise the alleged occurrence took place during the festival of Holi when both the parties were in an inebriated condition.

3. Notice of Motion

4. On asking of the Court, Ms. Trishanjali Sharma, DAG, Haryana, accepts notice on behalf of the respondent-State.

5. Per contra, learned State counsel, on instructions, has vehemently opposed the prayer and submissions made by the opposite counsel. It is submitted that there are serious allegations against the petitioner, who, along with the co-accused, armed with *lathis* and *dandas*, inflicted head injuries on the person of the injured. Learned State counsel has further apprised this Court that, due to the severity of the injuries, the injured went into a coma, and subsequently, Section 307 of the IPC was added after obtaining the doctor's opinion. It has been argued that it cannot be digested that the injuries on the head of the injured could have been self inflicted or with a friendly hand.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. Prima facie, there are serious and specific allegations against the petitioner, who, along with the co-accused, armed with *lathis* and *dandas*, inflicted grievous injuries on the head of the injured. In view of the seriousness of the allegations levelled, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to him.



CRM-M-48407-2024

8. Accordingly, the instant petition is hereby dismissed.

9. 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.

26.09.2024

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**(MANJARI NEHRU KAUL)
JUDGE**

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