



106

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

CRM-M No.21981 of 2025

Date of Decision: 28.04.2025

Lovepreet Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Akshay Chadha, Advocate
for the petitioner.

RAJESH BHARDWAJ, J.

1. Present second petition has been filed praying for the grant of anticipatory bail to the petitioner in case bearing FIR No.35, dated 29.03.2023 (Annexure P-1), under Sections 323, 341, 506 & 34 of Indian Penal Code, 1860 (Section 326 IPC added later on), registered at Police Station Dehlon, Police Commissionerate, Ludhiana.

2. As per the facts of the case, the petitioner has been prosecuted in FIR No.35, dated 29.03.2023, under Sections 323, 341, 506, 34, 326 of IPC. The allegations against the petitioner are that he caused injury to the complainant, due to which his right eye got damaged. Apprehending his arrest, the petitioner approached the Court of learned Additional Sessions Judge, Ludhiana praying for the grant of anticipatory bail. However after hearing both the sides, the same was declined by the learned Additional Sessions Judge, Ludhiana vide order dated



28.02.2025. Thus being aggrieved, the petitioner earlier approached this Court by way of filing **CRM-M-13332-2025**, however after arguing the case, the same was allowed to be dismissed as withdrawn with liberty to avail his alternative remedy vide order dated 10.03.2025. Hence the petitioner has again approached this Court by way of filing the present second petition praying for the grant of anticipatory bail.

3. Learned counsel for the petitioner has submitted before this Court that on verifying, it has been found that eye of the complainant has not completely damaged as he was doing his daily work in the normal manner. He has submitted that the representation for proper investigation has also filed before the Investigating Agencies by the father of petitioner. He has submitted that the witness produced by the complainant-victim has stated that the petitioner had given a fist blow on the eye of the complainant and no weapon was used. He has thus submitted that the present petition is maintainable and thus, the petitioner deserves to be granted anticipatory bail.

4. Notice of motion.

5. On asking of the Court, Mr. Tarun Aggarwal, Sr. DAG, Punjab appears and accepts notice on behalf of the respondent-State. He however has opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner was duly armed, who caused injury on the right eye of the complainant, which is medically corroborated. He has further submitted that the injury caused by the petitioner has resulted in the offence under Section 326 of IPC. He has



thus submitted that no grant for grant of anticipatory bail to the petitioner is made out and thus the present petition being devoid of any merit deserves to be dismissed.

6. Heard.

7. On hearing learned counsel for the parties and perusing the record, it is apparent that this is the second petition filed by the petitioner. The main argument raised by learned counsel for the petitioner that the right eye of the complainant has not been completely damaged as found on verification.

8. The Court finds the argument raised by learned counsel for the petitioner to be misconceived. The specific case of the prosecution against the petitioner that it is the petitioner, who was duly armed and has given a blow on the eye of the complainant, which has resulted in an injury under Section 326 of IPC.

9. Thus in the facts and circumstances, this Court does not find any change in the circumstances from the earlier petition, which was withdrawn by the petitioner after finding that the Court was not inclined to grant the anticipatory bail. Resultantly, the present petition is hereby dismissed. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

28.04.2025

rittu

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

(RAJESH BHARDWAJ)
JUDGE