

**Pankaj Sood Vs. State**

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**SooperKanoon Citation :** [sooperkanoon.com/907639](http://sooperkanoon.com/907639)

**Court :** Delhi

**Decided On :** Dec-21-2010

**Judge :** Shiv Narayan Dhingra, J.

**Acts :** Indian Penal Code (IPC) - Section 308

**Appeal No. :** Bail Appln. No.1814/2010

**Appellant :** Pankaj Sood

**Respondent :** State

**Advocate for Def. :** Mr. Sunil Sharma; Mr. Rajiv Bajaj, Advs.

**Advocate for Pet/Ap. :** Mr. Ritesh Bahri, Adv.

**Judgement :**

1. This application for grant of anticipatory bail has been moved by the petitioner/ applicant for grant of anticipatory bail who was booked under Section 308 of IPC. The contention of the petitioner is that the petitioner has been falsely implicated and it was complainant who was in drunken condition and the present FIR was counterblast to the complaint lodged by the petitioner on 8th August 2010 against the complainant.

2. The incident in which the accused/ petitioner is involved seems to be road-rage incident. The vehicle of the complainant dashed against petitioner's car. As per the allegations, the petitioner/applicant thereafter started abusing the complainant and

when complainant tried to stop him, the accused took out a beer bottle from his car, broke it and hit the complainant with it on his face, head, neck, shoulder resulting into serious injuries on his person. A perusal of MLC would show that the injuries on the person of complainant were grievous, sharp with ragged margins. The counsel for complainant and State counsel has placed on record photographs of the injuries suffered by the complainant. A perusal of these photographs clearly shows that the complainant was brutally hit repeatedly by the broken bottle resulting cut wounds on the entire face starting from forehead, near the eyes, ear, cheeks and shows that the wounds were not superficial deep quite deep. The complainant was initially taken to Mool Chand Hospital, perhaps by the accused, where the accused left him and ran away. From Mool Chand Hospital, the complainant was removed to a hospital in Gurgaon. He had to undergo surgery and stitches on different parts of face and remained hospitalized for considerable time.

3. Considering the above facts, I find it is not a fit case for grant of anticipatory bail. The application for grant of anticipatory bail is hereby dismissed.

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