

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

CRM-M-18512 of 2015.

Date of decision : 29.05.2015

Jagdeep Singh

..... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE DARSHAN SINGH

1. Whether Reporters of the local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Anhul Singh, Advocate for petitioner.

DARSHAN SINGH, J.

This petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (here-in-after called the 'Cr.P.C.') for grant of the anticipatory bail in case FIR No.88 dated 24.11.2014, under Sections 307/323/34 of the Indian Penal Code, 1860 (here-in-after called the 'IPC'), (later on Section 325 IPC also added), Police Station Rawalpindi, Distt. Kapurthala.

2. As per the prosecution allegations, on 17.11.2014, complainant Harwinder Singh alias Bittu was coming back from his

fields. The present petitioner along with two other accused came there on a motorcycle. The petitioner gave 'lalkara' to catch hold the complainant and to be taught a lesson for abusing his mother. The petitioner was armed with a 'datar' and gave the 'datar' blow from the reverse side on the back side of the head of the complainant and other parts of his body. One of the co-accused also caused injuries to him with a baseball bat. On seeing the arrival of his cousin Gurdeep Singh, the accused fled away from the spot.

3. Learned counsel for the petitioner contended that there is seven days delay in lodging the FIR. He further contended that there is no X-ray report with respect to the injuries to the complainant to show that the complainant has suffered any grievous injury. He contended that the petitioner is ready to join the investigation and deserves the concession of anticipatory bail.

4. I have duly considered the aforesaid contentions.

5. There are specific and categorical allegations against the petitioner that he was armed with a 'datar' and caused injuries from the reverse side of the 'datar' on the back side of the head of the complainant and other parts of his body. So, the present petitioner has played the major role in this occurrence. The weapon of offence is yet to be recovered from the possession of the petitioner, which may require his custodial interrogation.

6. Thus, keeping in view my aforesaid discussion, the petitioner has not been able to make out any exceptional case in order to

claim the extra ordinary privilege of the anticipatory bail.

7. Consequently, the present petition has no merits and the same is hereby dismissed.

29.05.2014

sunil yadav

**(DARSHAN SINGH)
JUDGE**