

CRM-M-19978-2015

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

CRM-M-19978-2015

Date of Decision: 29.06.2015

Ram Singh and another

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE PARAMJEET 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. P.S.Sekhon, Advocate,
for the petitioners.

Mr. K.S.Sidhu, DAG, Punjab.

Mr. A.P.Singh, Advocate,
for the complainant.

Paramjeet Singh, J. (Oral)

Instant petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No.38 dated 25.05.2015, registered at Police Station Rure Ke Kalan, District Barnala, under Sections 326, 324, 323, 341, 34 of the Indian Penal Code.

I have heard learned counsel for the parties and perused the record.

Vide order dated 17.06.2015, a Coordinate Bench of this Court directed that in the event of arrest, the petitioners would be

CRM-M-19978-2015

released on interim bail to the satisfaction of the Arresting/Investigating Officer in connection with above-said case FIR.

There are allegations against the petitioners that petitioner No.1-Ram Singh gave soti blow on the face of father of complainant as a result of which three teeth were dislocated and petitioner No.2-Resham Singh caused injury on his left cheek and right leg. As per Section 320 of the Indian Penal Code, fracture or dislocation of a bone or tooth falls within the definition of 'grievous hurt' punishable under Section 326 of the Indian Penal Code. It seems that interim order dated 17.06.2015 has been passed presuming that injury attributed to petitioner No.1 falls under Section 325 IPC. In view of above, petitioner No.1 is not entitled for grant of anticipatory bail.

So far as petitioner No.2 is concerned, learned State counsel after seeking instructions from ASI Dhana Singh submits that petitioner No.2 has joined the investigation and nothing is to be recovered from him and his custodial interrogation is not required.

In view of above, order dated 17.06.2015 passed by the Coordinate Bench of this Court is made absolute qua petitioner No.2, however, instant petition is dismissed qua petitioner No.1. It goes without saying that interim order dated 17.06.2015 stands vacated qua petitioner No.1.

29.06.2015
parveen kumar

(Paramjeet Singh)
Judge