

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

**CRR No. 21315 of 2015 (O&M)
Date of Decision: 6.7.2015**

Gajjan Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Ashok Giri, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks pre-arrest bail in FIR No.49 dated 2.5.2015 under Sections 458/323/148/149 IPC (Section 459 IPC was added later on) registered at Police Station Nangal, District Rupnagar.

Learned counsel for the petitioner submits that the incident took place in the first week of May, 2005 and Bhajan Singh son of Jagat Singh was discharged from PGIMER, Chandigarh, within four days of the incident. He further submits that injuries on the person of the injured were also not found dangerous to life and there was strong motive with the complainant to falsely implicate the petitioner.

He prays for allowing the present petition.

Having heard the learned counsel for the petitioner, after careful perusal of the record of the case, particularly order dated 9.6.2015 passed by the Additional Sessions Judge, Rupnagar, and giving thoughtful consideration to the contentions raised, this Court is of the considered opinion that in the given fact situation of the present case, petitioner has not been found entitled for the concession of pre-arrest bail. It is so said, because the learned Additional Sessions Judge, in his order, specifically observed that injured Bhajan Singh was admitted in PGI, Chandigarh, and was undergoing medical treatment. In this view of the matter, petitioner has incorrectly instructed his counsel for making a statement before this Court that the injured has been discharged from the hospital within four days of the occurrence.

In view of the above and without commenting upon the merits of the case, at this stage, lest it should prejudice the rights of either of the parties and also keeping in view the conduct of the petitioner while incorrectly instructing his counsel, present petition is dismissed.

(RAMESHWAR SINGH MALIK)
JUDGE

6.7.2015
Ak Sharma