

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

CRM-M No.24645 of 2015

Date of decision: 12th August, 2015

Surinder Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

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

Present: Mr. A.S. Gill, Advocate
for the petitioner.

Mr. C.S. Brar, Dy. Advocate General, Punjab.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Surinder Kumar in this petition filed under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No.39 dated 18.03.2015 registered at Police Station Maqsudan, District Jalandhar under Sections 307/324/326/341/427/148/149 IPC, are that on 18.03.2015 petitioner armed with a Datar along with co-accused/non-applicant had assaulted the complainant victim Jatinder. As per the allegations, single blow is attributed to the petitioner on the lower right leg of the victim which is covered under Section 325 Cr.P.C.

Learned State counsel though has sought to oppose grant of bail on the ground that one of the injuries on the head of the complainant by means of a Kirpan blow has been found dangerous which is punishable under Section 307 IPC being dangerous to life, however to the very specific query of the Court learned State counsel has failed to support his contentions by way of any medical evidence to bring the injury within the ambit of Section 307 IPC.

Keeping in view the role of the petitioner and that no useful purpose will be served by sending him into custody, it is ordered that in the event of arrest, the petitioner shall be released on bail to the satisfaction of the Arresting Officer till submission of report under Section 173 Cr.P.C. (challan). He shall continue to join investigation. Petitioner shall furnish an undertaking that he shall abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

August 12, 2015
rps