

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 3271 of 2015(O&M)

Date of Decision :12.02.2015

Mahavir Singh

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr.Shashi Kant Gupta, Advocate
for Mr.L.M.Gulati, Advocate for the petitioner.

Mr.Deepak Garg, AAG, Punjab.

- i. Whether Reporters of local papers may be allowed to see the judgment?
- ii. To be referred to the Reporters or not?
- iii. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition for anticipatory bail filed in case bearing FIR No.150 dated 14.07.2012, under Sections 307, 452, 336, 326, 380, 447,427, 506, 148,149 IPC read with Section 25/27/54/59 of Arms Act, registered at Police Station Chhehratta, District Amritsar.

Learned counsel has argued that actually it was the other party who were aggressors and they had inflicted gun shot injuries on the petitioner's side and two persons from the complainants' side were arrested and later bailed out. As regards the present petitioner, though the allegation is that he had fired a gun shot and had inflicted gun shot injuries to Rupinder Singh, yet the MLR of said Rupinder Singh does not indicate a gun shot injury but indicates an incised wound 2.4 cm x 0.4 cm present obliquely over the dorsum of little finger of left hand over the proximal

phalanx, 1.0 cm distant to the base of finger and this is the injury which has been described as a grievous injury. As per learned counsel for the petitioner this injury was self suffered so as to reduce the seriousness of the case against the complainants. Learned AAG has accepted the fact that in the cross version gun shot injuries were inflicted on the petitioner's side and two persons from the complainants' side were arrested. He has not been able to explain how in the FIR allegations of gun shot injuries have been made and the same have not been reflected in the MLR.

In the circumstances, without commenting anything on the merits of the case and keeping in view the entire factual matrix, I do not deem it appropriate to deny bail to the present petitioner. In the event of his arrest, the petitioner shall be released on bail to the satisfaction of the investigating officer subject to the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

Since the main case has been decided, the Criminal Misc.Application, if any also stands disposed of.

(AJAY TEWARI)
JUDGE

February 12, 2015
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