

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-3428-2015

Date of decision : 02.02.2015

Jasbir Singh

... Petitioner

Versus

State of Punjab

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr.Karambir Singh Kahlon, Advocate
for the petitioner.

REKHA MITTAL, J.(ORAL)

The petitioner prays for grant of bail in anticipation of arrest in FIR No.107 dated 24.11.2014 registered in Police Station Dera Baba Nanak, District Gurdaspur for offence punishable under Section 326 read with Section 34 of the Indian Penal Code (in short 'IPC').

Counsel for the petitioner inter alia contends that case has been registered after delay of one month. The injury sustained by Kulwinder Singh son of Dalbir Singh is stated to be the result of blow with a Datri but as per medical evidence, the injured sustained an incised wound on front of left thumb of hand, a non vital part of body. It is further submitted that a false case has been registered owing to dispute between the complainant and Bikramjit Singh in regard to area of Berm. The petitioner is ready to join investigation and face proceedings in accordance with law.

I have heard counsel for the parties and perused the records.

As per allegations, Bikram @ Bikka son of the present

petitioner gave datar blow on head underneath the left ear to Sukhdev Singh son of Kashmir Singh. Kulwinder Singh son of Dalbir Singh, paternal uncle of the complainant came to rescue and the present petitioner gave datar blow on his left thumb of hand. The injury attributed to the petitioner is declared to be grievous in nature constituting offence under Section 326 IPC and custodial interrogation of the petitioner is required for progress in investigation which disentitles him to seek concession of pre-arrest bail.

Dismissed.

(REKHA MITTAL)
JUDGE

February 02, 2015.
DK