

In the High Court of Punjab and Haryana at Chandigarh

PARAMJIT KAUR SAINI
2015.01.15 17:50
I attest to the accuracy and
authenticity of this document

CRM-M-35557 of 2014

Date of Decision: 14.01.2015

Jagtar Singh

---Petitioner

versus

State of Punjab

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. V.K.Sandhir, Advocate
for the petitioner

Mr. Gazi Mohammad, DAG, Punjab
for the respondent-State

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

REKHA MITTAL, J.

Counsel for the petitioner inter alia contends that in the occurrence dated 13.8.2014, the present petitioner sustained five injuries at the hands of assailants. It is further submitted that the cross version at the instance of injured Saba Singh has been recorded on 13.9.2014 after one month of the occurrence without an explanation much less satisfactory. It is further submitted that the petitioner is ready to join investigation and co-operate throughout when otherwise the present case is a case of version and cross version and it is to be decided during trial as to who is aggressor.

Status report by way of affidavit of Jagatpreet Singh, Deputy Superintendent of Police, Sub Division Rajasansi, District Amritsar (Rural) on behalf respondent-State of Punjab filed in Court, is taken on record.

Perusal of the facts revealed in the reply would make it evident that the injured of the cross version was admitted in the hospital on the date of occurrence i.e. 13.8.2014 and was discharged from the hospital on 18.8.2014. As per medical record, the injured sustained head injury which was found to be grievous in view of medical opinion, attributed to the present petitioner. The mere fact that cross version has been recorded on 13.9.2014 is not sufficient to extend benefit of bail in anticipation of arrest particularly in the circumstances that custodial interrogation of the petitioner is required to recover weapon of offence and progress in investigation.

For the reasons foresaid, the petition is dismissed.

(REKHA MITTAL)
JUDGE

14.01.2015
PARAMJIT