

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

(214)

CRM-M-35532-2015

Decided on: October 20, 2015.

Darbara Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Harish Sharma, Advocate, for the petitioner.

Mr. Gazi Mohammad, DAG, Punjab.

Mr. G.B.S. Dhillon, Advocate, for the complainant.

M.M.S. BEDI, J (ORAL)

Petitioner along with Jaspreet Singh, Karnail Singh and Tara Singh is alleged to have picked up the bajra crop sown and cut by complainant Harjit Singh and later on attacked him and his brother by constituting an unlawful assembly.

Learned counsel for the petitioner has argued that injury attributed to the petitioner is simple in nature.

During course of investigation, it transpired that co-accused of the petitioner have been found innocent. Police record further indicates that there are 13 injuries which have collectively been declared dangerous to life. Out of 13 injuries, 7 injuries have been found to be simple in nature whereas remaining injuries on the person of Gurmeet Singh were found grievous.

Learned counsel for the petitioner submits that the gun shot injury attributed to the petitioner is a simple injury. The act of firing and causing firearm injury dangerous to life of a person does not constitute extraordinary exceptional circumstance to grant the pre-arrest bail to the petitioner.

In view of said circumstances, the petition is dismissed without prejudice to the right of the petitioner to seek concession of regular bail in accordance with law by surrendering before the police/trial Court.

(M.M.S. BEDI)
JUDGE

October 20, 2015
harsha