

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M- 39343 of 2015

Date of Decision: December 18, 2015

Major Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

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

Mr.Ankur Jain, AAG, Punjab

Mr.Ashok Saini, Advocate
for the complainant.

Rajan Gupta, J (Oral)

This is a petition under Section 438 Cr.P.C seeking anticipatory bail in a case vide FIR No.100 dated 19.7.2015 registered under Sections 324, 326, 506, 148, 149 IPC at Police Station, Chatiwind, Amritsar Rural, District Amritsar.

Learned counsel for the petitioner submits that petitioner is entitled to pre-arrest bail as it is a case of version/cross version and injury attributed to the petitioner is on non-vital part of the body.

Learned State counsel has opposed the plea. According to him, injury was caused by the petitioner on left wrist of injured-Milkha Singh. This resulted in permanent impairment of power in the wrist.

Learned counsel for the complainant has made submissions on similar terms.

I have heard learned counsel for the parties.

FIR was lodged by the complainant-Milkha Singh. He

alleged that there was some dispute regarding land between him and the accused. On 15.7.2015, accused assaulted him. Petitioner caused injury on his left wrist with a sharp edged weapon (dadar). The injury was declared grievous in nature. The movement at the wrist joint was found to be absent at the time of injury. The doctor opined as follows:-

“Injury No.1 is grievous in nature under the clause 5 of 320 IPC which is destruction or permanent impairing of power of any member or joint. Injuries no.2, 3 and 4 are simple in nature.”

In view of nature of injuries caused, I am of the considered view that petitioner is not entitled to concession of pre-arrest bail. Plea that there is a cross version holds no merit as stand of the State is that cross version contained in the DDR was found to be incorrect and stands cancelled.

Dismissed.

(Rajan Gupta)
Judge

December 18, 2015
BB