

CRM-M-6165 of 2015
Date of Decision: 26.02.2015

Baldev Singh

---Petitioner

versus

State of Punjab

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Kulbir Singh Sekhon, Advocate
for the petitioner**

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.

The petitioner prays for grant of bail in anticipation of arrest in FIR No. 267 dated 27.9.2014 registered at police station, Phillaur, District Jalandhar for offence punishable under Sections 323, 324, 341, 148, 149 of the Indian Penal Code (in short "IPC") (offence under Section 326 IPC added later).

Counsel for the petitioner inter alia contends that injury constituting offence under Section 326 IPC has been attributed to co accused Chamkaur Singh and sustained by Charanjit Singh on his thumb of foot, non-vital part of the body. It is further submitted that injury attributed to the present petitioner was sustained by Balwinder Singh and the same is simple in nature constituting offence under Section 324 IPC. It is further argued that the petitioner sustained six injuries reflected in his medico legal

report and cross version has been lodged at the behest of accused party. It is argued that custodial interrogation of the petitioner is not required and he is ready to join investigation. The co accused in this case have already been released on bail.

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

As per allegations set up in the FIR, the petitioner has been attributed a specific role of causing injury to Balwinder Singh with a sharp edged weapon at his head and the said injury is described as incised wound 2x2 cm (bone deep) left parietal region 8 cm above left ear. On the other hand, injuries sustained by the petitioner are lacerated wounds (injury Nos. 1 and 2), contusions (injury No. 4 and 5) and complain of pain (injury Nos. 3 and 6). Keeping in view the role attributed to the present petitioner coupled with the factum that weapon of offence is yet to be recovered from him, I do not think it to be fit case wherein the petitioner deserves to be allowed benefit of bail in anticipation of arrest.

Dismissed.

(REKHA MITTAL)
JUDGE

26.02.2015
PARAMJIT