

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

CRM-M-8978-2015 (O&M)

Date of decision : 27.03.2015

Satish Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Raj Kumar Gupta, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by ASI Kewal Singh.

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.151 dated 15.10.2012, registered under Sections 307, 148, 149 of the Indian Penal Code, (for short, 'the IPC') at Police Station Division No.7 (Vardhman), District Ludhiana.

The learned counsel, inter alia, contends that the solitary injury, attracting Section 307 IPC, is not caused by the petitioner. The scuffle took place on the spur of the moment. It is not a premeditated act. The petitioner is in custody since 03.08.2014.

On the other hand, the learned State counsel, on instructions, submits that the victim suffered injury which has been declared dangerous to life. She further states that on account of the injury suffered by the victim, the petitioner has lost his voice. Four co-accused have been declared proclaimed offenders.

Heard.

Considering the nature of injury suffered by the injured, the fact that four co-accused have been declared proclaimed offenders and no favourable circumstance has accrued in favour of the petitioner after dismissal of his first bail petition on 13.11.2014, in the circumstances, no case for grant of bail is made out at this stage.

Dismissed.

27.03.2015

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(JITENDRA CHAUHAN)
JUDGE

Note : Whether to be referred to reporter ? Yes / No