

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

**C.R.M-M No.910 of 2015
Date of Decision : 27.01.2015**

Gurtej Singh and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Parminder Singh-I, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

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

AJAY TEWARI, J. (Oral)

This is a petition for grant of pre-arrest bail to the petitioners under Section 438 Cr.P.C. in case FIR No.158 dated 20.11.2014 registered under Sections 452, 326, 324, 323, 34 IPC at Police Station Nahianwala, Bathinda, District Bathinda.

Learned counsel for the petitioners has argued that the FIR was lodged after 60 hours; the alleged injured was not taken to hospitals in Goniana or Bathinda which were much closer to Faridkot and it is not possible that after grievous injury on left thumb the same could be used for attesting the FIR.

Learned Additional Advocate General states that the injury was below the part which had to be impressed on the paper though she accepts the fact that the injured was not taken to the nearest hospitals and that the FIR has been lodged after 60 hours.

In view of the facts and circumstances of the case, without going into the merits of the case, I deem it appropriate to grant the concession of anticipatory bail to the petitioners.

Resultantly, the petition is allowed.

In the event of arrest of the petitioners, they shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

January 27, 2015

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**(AJAY TEWARI)
JUDGE**