

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

CRM-M No.2008 of 2016 (O&M)

Date of Decision: 25.02.2016

Surinder Singh

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. H.S.Dhindsa, Advocate for the petitioner.

Mr. R.S.Randhawa, Additional Advocate General, Punjab
for the respondent/State assisted by A.S.I. Tajinder Singh.

Mr. R.S.Mamli, Advocate for the complainant.

JASWANT SINGH, J. (Oral)

The prayer is for grant of anticipatory bail under Section 438 Cr.P.C. to the petitioner/accused-Surinder Singh in case FIR No.101 dated 05.12.2015, under Sections 148, 379, 323, 341, 149 of the Indian Penal Code (Section 308, IPC added later on), registered with Police Station Hariana, District Hoshiarpur (**Annexure P-1**).

It is a case of version and cross version regarding an occurrence in front of Saw and Flour Mill on 01.12.2015 at around 9.30 pm.

It was submitted that from the allegations, it is apparent that there was no pre-meeting of the minds. No doubt, the petitioner has been attributed an *iron rod* blow on the head of injured-Surinder Kumar, brother of the complainant, which is opined to be dangerous to life, however, it is yet to be determined as to who was the aggressor as the petitioner also suffered two incised wounds as per MLR at page 9.

Upon notice, learned Counsel for the complainant and State Counsel submit that the injury attributed to the present petitioner upon the injured-Surinder Kumar has been declared to be dangerous to life by the Neurosurgeon. The injured-Surinder Kumar has through out remained admitted in a hospital for a considerable period of time. He has been found to have suffered seizure disorder on account of the head injury.

Keeping in view the nature and gravity of the injury attributed to the present petitioner, no case for grant of anticipatory bail is made out.

Accordingly, the present petition stands dismissed.

February 25, 2016

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**(JASWANT SINGH)
JUDGE**