

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

Crl. Misc. No.M-21299 of 2016

Date of decision : 27.06.2016

Sunil Kumar

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Deepak Bhardwaj, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. R.N. Maurya, Advocate
for the complainant.

ANITA CHAUDHRY, J.

The petitioner is seeking anticipatory bail in FIR No.25 dated 04.04.2016, registered under Sections 323, 325, 506, 34 IPC (Section 307 IPC added later on), Police Station Julkan, District Patiala.

Mr. R.N. Maurya, Advocate has put in appearance on behalf of the complainant and has filed his power of attorney.

Counsel for the petitioner contends that the allegation under Section 307 IPC is against Gurpreet and the petitioner has been given a similar role as given to Mani, who has been allowed anticipatory bail. The counsel refers to Annexure P-1 and urges that the petitioner is also known as Sheena and the allegations are that both Sheena and Mani had given injuries

with a hockey stick. The counsel urges that the petitioner is ready to join the investigation.

The petition is opposed by the complainant as well as by the State. The counsel for the complainant urges that the incident is of 13.02.2016 and the injured had reached at the hospital within an hour of the incident but the police did not register the case and only entered Rapat on 12.02.2016 and it was on 4.4.2016 that the FIR was registered and even then Section 307 IPC was not added when there was a depressed fracture on the frontal bone. The counsel further urges that the anticipatory bail was allowed to Mani as he was a juvenile and the police has been helping them from the very beginning and all of them had come together and they had come to beat Karamjit Singh, uncle of the complainant, who was on a wheel-chair and when the complainant tried to protect him, he was badly beaten.

The copy of the MLR and the report available with the police shows that medical opinion was taken and the injury had been described as greivous and dangerous to life. Injury on the head was caused with an iron rod. There was a depressed fracture on the frontal bone. The main accused Gurpreet is still at large. Recovery is to be effected from the petitioner. The allegations are serious. All of the assailants came together. No case for anticipatory bail is made out.

The petition is dismissed.

27.06.2016

sunil

(ANITA CHAUDHRY)
JUDGE