

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

CRM-M-28054-2016 (O&M)
Date of decision : 19.09.2016

Lucky Thakur @ Lucky

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Ravi Malhotra, Advocate for the petitioner.

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

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in FIR No.42 dated 03.04.2016, registered under Sections 307, 323, 324 and 506 of the Indian Penal Code, at P.S. Division No.4, Jalandhar.

Contends that there is unexplained and inordinate delay of four days in lodging the FIR. The complainant was removed to Civil Hospital, from where he was discharged but he again got admitted himself in a private hospital and procured a medical certificate reflecting injury No.2 as dangerous to life. He contends that no injury corresponding to injury No.2 in the MLR finds mention in the FIR.

On the other hand, learned State counsel has opposed the present petition. She states that the complainant received as many as four injuries including on the chest and stomach.

Heard.

The alleged incident took place on 30.03.2016 at about 11.30 p.m., whereas, the FIR in question came to be registered on 03.04.2016 at 3.47 p.m. There are statedly two MLRs of the complainant on record. As per MLR No.187/CP/59/CHJ/2016, the complainant received four injuires, whereas, as per MLR No.186/CP/59/CHJ/2016, he received six injuries and all were simple. He was declared fit to make statement on 31.03.2016 by the doctor, but the complainant chose not to do so.

Keeping in view the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

19.09.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No