

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

**CRM-M-30602-2016
Date of decision-08.09.2016**

Bhola Singh @ Ghola and another ...Petitioners

Vs.

State of Punjab ...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Tejinder Pal Singh, Advocate for the petitioners.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 438 of the Code of Criminal Procedure has been filed for the grant of anticipatory bail in FIR No.54 dated 22.04.2016 registered under Sections 308,323, 341 and 506 read with Section 34 of the Indian Penal Code (in short 'IPC') at Police Station Sadar Sangrur, District Sangrur.

Learned counsel contends that initially FIR under Section 323, 341 and 506 of IPC was registered and the petitioners were admitted to bail. Subsequently, Section 308 of IPC was added without there being any medical evidence in this regard. The petitioners were admitted to bail and they did not misuse the concession of bail. He further contends that petitioner No.1 is 75 year old.

Heard.

From the FIR it is made out that injuries attributed to petitioners are on vital part i.e. on head. Subsequently, addition of Section 308 of IPC is on the basis of the medical opinion. The injuries being on vital part,

age of the petitioners cannot be the sole criteria for grant of anticipatory bail.

This Court feels that no case for anticipatory bail is made out at this stage.

Dismissed.

(JITENDRA CHAUHAN)
JUDGE

September 08, 2016
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No