

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

CRM-M-3346-2016 (O&M)
Date of decision : 15.11.2016

Vikram

..Petitioner(s)

Versus

State of Haryana

..Respondent(s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. N.S. Shekhawat, Advocate for the petitioner(s).

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Kuldeep Singh.

Mr. Amit Arora, Advocate
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure, for grant of anticipatory bail to the petitioner in FIR No.185 dated 09.12.2015, registered under Sections 323 and 324 of the Indian Penal Code (for short 'the IPC') read with Section 34 IPC and Section 307 IPC (added later on), at Police Station Satnali, District Mohindergarh.

Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of the order dated 01.02.2016 passed by this Court. He states that initially the FIR was lodged under

Sections 323 and 324 IPC read with Section 34 IPC and the petitioner was admitted to bail on 03.01.2016. Thereafter, Section 307 IPC was also added in the FIR. A simple injury i.e. stab wound of size 2 x 1 cm in length and width and below the left hand, is attributed to the petitioner.

Reply on behalf of the respondent-State has been filed in the Court, same is taken on record.

On the other hand, learned State counsel states that the injury sustained by injured, Dinesh, is dangerous to life and prays for dismissal of the present petition.

Heard.

Initially the FIR was registered under Sections 323 and 324 IPC read with Section 34 IPC and the petitioner was admitted to bail. Thereafter, Section 307 IPC was added.

Medical opinion rendered by the medical board constituted by Civil Surgeon, Narnaul in case of injured, Dinesh Kumar reads as under:-

“Patient Dinesh S/o Mohar Singh age 32 years re-examined today by above written doctors. Patient was known case of physical assault on dated 07.12.2015 injury mentioned in MLR No.AY/06/2015/M.Garh patient was referred to PGIMS Rohtak on 07.12.2015. Patient was operated at PGIMS Rohtak on 12.12.2015 by Dr. Prateek GA. Operation done was repair of Diphragmatic tear c spleenectomy c left IOD GA. As per record operative findings as per record. At present on examination patient is healthy, vitals stable. Old healed scar mark present midline (17 cm) abdomen and left side of abdomen (11cm) and at injury site and at 1 CD site, HPR report as spleenectomy not available in records (2 cm) as per patient record injury mentioned are dangerous to life.”

In view of the above, without expressing any opinion on the

merits of the case, the interim bail granted by this Court vide order dated 01.02.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

15.11.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No