

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-35304-2016 (O&M).
Decided on: October 3, 2016.

Sunny @ Sandeep Kumar

.. Petitioner(s)

VERSUS

State of Punjab

.. Respondent(s)

* * *

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

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PRESENT Mr.Vikas Gupta, Advocate,
for the petitioner.

M.M.S. BEDI, J. (ORAL)

Petitioner apprehends arrest in a case registered at the instance of Shiva alleging that complainant and Johny were attacked by the petitioner and his two brothers. A similar petition filed by the co-accused of the petitioner Money is stated to be pending before this Court for 8.11.2016.

With the assistance of counsel for the petitioner, I have gone through the allegations and the nature of the injury attributed to the petitioner. The petitioner is alleged to have inflicted a datar blow on the head of Johny. The injury has been declared to be grievous.

I have considered the role attributed to the other co-accused. Co-accused of the petitioner has been granted the concession of interim bail as injury is attributed to him with datar on the right hand of Johny. The parameters applied to the case of Money, cannot be applied to the case of petitioner taking into consideration the nature and seat and of the injury attributed to him.

Counsel for the petitioner submits that it is debatable whether the injury on the head of Johny is a grievous injury as the injury is not a fracture but a bone cut.

Contentions of the petitioner may constitute a good ground for the grant of regular bail to the petitioner but no extra ordinary exceptional circumstances exist to grant the concession of pre-arrest bail to the petitioner.

The petition is dismissed.

Nothing said in this order will prejudice the rights of the petitioner to seek concession of regular bail.

(M.M.S. BEDI)
JUDGE

October 3, 2016.
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Whether speaking / reasoned
Whether Reportable:

Yes / No
Yes / No