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

**CRM-M-38513-2015
Date of decision : 04.04.2016.**

Hargobind Singh @ Hari Singh Petitioner

VERSUS

State of Haryana Respondent

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

Present: Mr. Pardeep Singh Mirpur, Advocate
for the petitioner.

Mr. C.S. Bakshi, Addl. A.G., Haryana.

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

This is third application for grant of bail in a case registered on the basis of the complaint of Jagraj Singh alleging that on 17.10.2014, the petitioner alongwith seven accused had way-laid the complainant and assaulted him. Darshan Singh co-accused of the petitioner allegedly fired five shots. However, no gun shot injury was suffered by the complainant.

So far as petitioner is concerned, he is attributed an iron rod blow on the head of the complainant-Jagraj Singh. Complainant has already been examined-in-chief.

It has been informed that the complainant is involved in ten other criminal cases and is avoiding appearance in the Court for cross-examination.

Learned counsel for the complainant informs that the complainant has been acquitted in seven cases. However, it is admitted that the complainant is a proclaimed offender and has escaped from the Jail in a criminal case.

With the assistance of learned counsel for the petitioner and learned State counsel, I have gone through the medical record. As per the MLR, the injury attributed to the petitioner was a freshly bleeding injury. However, x-ray and CT scan did not show any fracture. It will certainly be a debatable issue whether the injury, which has been declared as dangerous to life would fall within the ambit of Section 320 IPC or could be said to have endangered the life of the complainant.

Taking into consideration the period of detention suffered by the petitioner, i.e. w.e.f. 13.11.2014, he can be granted the concession of bail.

Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

April 04, 2016
Ramandeep Singh

(M.M.S. BEDI)
JUDGE