

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

CRM-M-4785-2016 (O&M)
Date of decision : 15.11.2016

Arvind @ Banti

..Petitioner(s)

Versus

State of Haryana

..Respondent(s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Vijay Sangwan, 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 10.02.2016 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 05.01.2016. Thereafter, Section 307 IPC was also added in the FIR. No injury is attributed to the petitioner.

Reply on behalf of the respondent-State in the connected petition i.e. CRM-M-3346-2016 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, Ajeet, 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 Ajeet S/o Bal Singh re-examined today on date 06.09.2016. Patient was caused of physical assault MLR prepared on 07.12.2015 at GH Mahendergarh by Dr. Ankit Yadav. Patient was referred to PGIMS Rohtak on 07.12.2015 and was operated-ELCPLCRA of jejunal portion (end to end) c primary closure of lacerated wound c petvic ADK c negative section in stab wound GA by Dr. Prateek on 08.12.2015. Operative findings were as per record HPR report is not available in record. As per record, injuries shown are dangerous to life. At present patient vitals stable, conscious oriented and healthy. Old healed scar mark, healthy present on midline of abdomen, on Rt side abdomen (7 cm) and on left side of abdomen (2 cm).”

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

10.02.2016, 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