

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

CRM-M No. 5945 of 2016 (O&M)

Date of Decision: 11.04.2016

Sona Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Karan Singla, Advocate for
Mr. Manu Loona, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
for the respondent/State assisted by HC Harbel Singh.

Ms. Riffi Birla, Advocate
for the complainant.

JASWANT SINGH, J. (ORAL)

Prayer in this petition under Section 438 of the Code of Criminal Procedure, is for grant of anticipatory bail on behalf of the accused/petitioner-Sona Singh in case FIR No. 186, dated 22.11.2015, for offences punishable under Sections 308, 325, 323, 34 of the Indian Penal Code, registered at Police Station Sadar Jalalabad, District Fazilka.

As per allegations, when complainant-Ramesh came to drop his married sister Shimla Rani at her matrimonial home, the family members of her husband encircled the complainant and inflicted injuries upon him. The other co-accused was even armed with a *toka*. Injuries No. 1, 2 and 4 on the head were collectively declared as grievous in nature. Complainant also remained under observation in ICU and CT Scans were conducted.

It was contended that the only role attributed to the petitioner is of raising a *lalkara*. It was further contended that petitioner is 70 years' old person and nothing is to be recovered from him.

Learned counsel for the complainant points out that while granting interim protection to the petitioner on 18.02.2016, this Court had directed the petitioner-accused to be present in Court on 30.03.2016, although, the petitioner-Sona Singh has enjoyed the interim protection, however, he did not come present on 30.03.2016 and neither he is present today.

Learned counsel for the petitioner submits that the petitioner was duly intimated regarding the direction passed by this Court for his presence and he has not received any instructions in that regard.

Learned State Counsel, assisted by HC Harbel Singh, submits that neither of the accused has been arrested till today and the investigation at this stage are at standstill, therefore, no case for grant of anticipatory bail is made out.

In view of above, keeping in view the nature and gravity of the offence, custodial interrogation of the petitioner would be necessary for fair and proper investigation.

Accordingly, the present petition stands dismissed.

April 11, 2016

'dk kamra'

(JASWANT SINGH)
JUDGE