

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

CRM-M-7269-2016

Date of decision : 08.04.2016

Ram Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. G.S. Brar, Advocate
for the petitioner.

Mr. K. S. Sidhu, DAG, Punjab.

Mr. H. S. Randhawa, Advocate
for the complainant.

JASWANT SINGH, J.(ORAL)

Prayer is for grant of anticipatory bail to the petitioner in case FIR No.123 dated 13.11.2015 under Sections 323, 324, 326, 307, 341, 506, 148 & 149 IPC registered with Police Station Amargarh, District Sangrur.

As per the allegations, the petitioner is armed with iron rod and is alleged to have inflicted a blow toward the head of the complainant which on raising of his right hand struck him there.

The dispute is regarding the complainant objecting of the accused party from cultivating of common passage leading to their fields.

It is contended that the sudden fight had occurred leading to version and cross-version case in which both sides received injuries.

It is next contended that the petitioner is 70 years old person and the injury attributed with an iron rod blow is on the right hand which has been opined to be simple in nature.

The petitioner is stated to have joined investigation and fully cooperated.

Learned State counsel, on instructions from ASI Gurdeep Singh, concedes that the petitioner has joined investigation. However, recovery of iron rod is yet to be effected.

In response, learned counsel for the petitioner submits that in the eye-witness account, recovery or non-recovery of alleged iron rod would not be of much relevance.

Learned counsel for the complainant has opposed the grant of relief.

Without commenting on merits of the case, keeping in view the age of the petitioner and the nature of injury, the present petition is allowed and pre-arrest bail granted vide order dated 27.02.2016 is made absolute.

(JASWANT SINGH)
JUDGE

April 08, 2016.