

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-8214 of 2016

DATE OF DECISION: 11.03.2016

Channa Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. **Whether reporters of local newspaper may be allowed to see judgment? (Yes/No)**
2. **To be referred to reporters or not? (Yes/No)**
3. **Whether the judgment should be reported in the Digest? (Yes/No)**

Present:- Mr. Harish Goyal, Advocate
for the petitioner.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in cross-version i.e. DDR No. 35 dated 2.12.2015 registered under Sections 323,324,326,148,149 IPC in case FIR No. 171 dated 2.12.2015 under Sections 452,324,323,376,511 34 IPC at Police Station Sardulgarh, District Mansa.

Learned counsel for the petitioner contends that it is a case of version and cross-version and co-accused of the petitioner, namely, Kirpal Singh and Kali Singh have already been released on interim anticipatory bail by this Court vide order dated 23.2.2016 in Crl. Misc. No. M-6322 of 2016. Learned counsel further contends that it is a case of self-defence and injury is on the finger only, therefore, no offence under Section 326 IPC is not made out.

Heard the arguments advanced by learned counsel for the petitioner and have also gone through the allegations levelled in the FIR as well role of the petitioner.

Co-accused of the petitioner were granted interim anticipatory bail by recording a contention that the injury which falls under Section 326 IPC has been attributed to the present petitioner. Simply by saying that it is a case of version and cross-version and injury was caused in self-defence, anticipatory bail cannot be granted. It is a matter of evidence which can be seen during trial.

Keeping in view the nature of the injury and role of the petitioner, no ground is made out to grant anticipatory bail to the petitioner.

However, in case the petitioner surrenders before the trial Court and moves an application for regular bail, the same shall be considered by the trial Court within a period of one week in accordance with law.

Disposed of accordingly.

However, it is made clear that anything stated herein above shall not be construed as an expression of opinion on the merits of the case by the trial Court.

March 11, 2016
pooja

(DAYA CHAUDHARY)
JUDGE