

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-10474 of 2017
Date of Decision: 19.04.2017

Surjit Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. P.K.S. Phoolka, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

Present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to petitioner in case FIR No. 41 dated 21.02.2017 registered for offences punishable under Sections 452, 325 read with Section 34 of Indian Penal Code (for short, "IPC") at Police Station Nathana, District Bathinda. (Offence punishable under Section 326 IPC was added later on).

Learned State counsel has argued that complainant-Bhag Singh is an old man of 80 years. Petitioner had entered his house and caused grievous injury on his head with sharp-edged weapon resulting in fracture of parietal bone of skull, which could have proved fatal.

Learned counsel for the petitioner has argued that that FIR was got registered four days after the occurrence for offences punishable under Sections 452, 325/34 IPC. However, the offence punishable under Section 326 IPC was added one month thereafter.

As per case of prosecution, complainant after the occurrence

was admitted in hospital. The injury on his person was quite serious in nature. The police has taken its own time to obtain opinion of the doctor regarding fitness of the complainant to make statement. However, this fact and the delay in registration of FIR are not circumstances, which weigh in favour of the petitioner for grant of regular bail to him.

The instant petition has no merit and the same is dismissed.

April 19, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No