

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

CRM-M-1133 of 2017 (O&M)

Date of decision: 23.03.2017

Vijay

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Ms. Gurvir Kaur Gill, Advocate for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.128 dated 08.09.2016, registered under Sections 325, 323, 326, 307 read with Section 34 of IPC, at Police Station Sadar Fazilka.

It is contended that there is an inordinate delay and unexplained in lodging the FIR. The alleged occurrence took place on 13.07.2016 whereas, the FIR was registered on 08.09.2016. Subsequently, to enhance the gravity of the offence Section 307 of IPC has also been added without there being any medical evidence in this regard. The petitioner is in custody since 15.09.2016.

On the other hand, the learned State counsel opposes the

bail application.

I have heard learned counsel for the parties and perused the record.

In pursuance of order dated 27.01.2017, report of Dr. Munish Dhawan, Guru Gobind Singh Medical College & Hospital, Faridkot has been circulated in Court is taken on record. As per the report, due to injury suffered by injured Subhash Chander, the vision of one of his eyes has been reduced which is considered as blind eye (one). The complainant/injured have not yet been examined.

Considering the nature of offence, no case for grant of relief sought, is made out at this stage.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

23.03.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No