

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

**CRM-M No.12103 of 2017
Decided on: 24.10.2017**

Gagandeep

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. D.S. Virk, Advocate
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

Mr. Shakti Mehta, Advocate for the complainant.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail in FIR No.117 dated 27.12.2016 registered under Sections 341, 323, 148, 149, 506 IPC (Section 308 IPC added later) at Police Station Ghagga, District Patiala.

Counsel for the petitioner submits that the petitioner was not named in the FIR which was registered at the instance of injured – Sukhjinder Singh and the petitioner has already joined the investigation in pursuance to the order dated 07.04.2017.

On the other hand, counsel for the State, on instructions from ASI Baljeet Singh, assisted by counsel for the complainant submits that subsequently the statement of Tanvir Singh, another injured was recorded by the police on 31.12.2016 under Section 161 Cr.P.C. in which he has given the details of injuries caused by the petitioner on his head. It is further submitted by counsel for the State

that medical board of 03 doctors was constituted regarding the injuries sustained by Tanvir Singh and opinion of the doctors reads as under:-

“Reexamination of Tanvir Singh

Examined Tanvir Singh S/o Gurdeep Singh who has the following injuries

Healed scar 21 cm, 'C' shaped on the right side extending from frontal region to the occipital region, 7 cms from the right pinna, corresponding to injury No.1 of the MLR which was later on operated at PGI Chandigarh. Patient has monoparesis of the left upper limb with grade power 3.

The medicolegal case summary of PGI Chandigarh showed right fronto temporal EDH with right frontal bone fracture with contusion of the underlying tissue and presence of mass effect. The patient was operated for the same craniotomy evacuation of the EDH and lax neuroplasty with replacement of bone flap.

After going through the record, clinical examination of the patient, the board is of the opinion that the head injury of this patient is dangerous to life which in ordinary course would have resulted in the same without treatment.

Sd/-

Sd/-

Sd/-

Dr. Sanjay Goel

Dr. Parveen Garg

Dr. HKS Chawla

Sd/-

*Dr. Harish Malhotra
Assistant Civil Surgeon-
cum-Inquiry Officer, Patiala.*

I agree with the above report.

Civil Surgeon, Patiala”

Since subsequent to the interim order, the opinion of the doctors has come on record that the injuries on the person of Tanvir

Singh (injured) was found to be dangerous to life, the police has added Section 307 IPC and deleted Section 308 IPC. In view of the gravity of the offences and the fact that the injured/complainant has named the petitioner with regard to the injuries sustained by him which was declared dangerous to life, no ground for grant of anticipatory bail is made out.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

24.10.2017
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No