

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

**CRM-M No.20238 of 2017
Date of Decision: June 01, 2017**

Surjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Naresh Kumar Manchanda, Advocate
for the petitioner.

DEEPAK SIBAL J. (ORAL)

Medico Legal Report (for short the 'MLR') of the complainant/injured has been produced by learned counsel for the petitioner in Court today which is ordered to be taken on record as Annexure Mark-'A'.

Through the present petition filed under Section 438 Cr.P.C., the petitioner seeks the grant of anticipatory bail in FIR No.14, dated 13.02.2017, registered under Sections 307, 341, 323, 506, 148 and 149 IPC, at Police Station Lakho Ke Behram, District Ferozepur.

The case of the prosecution is that the complainant's car had met with an accident with a scooter which had two persons riding it, one of whom was the petitioner. Since as a result of the accident, the petitioner had received injuries, the complainant offered to take the petitioner in his car for medical treatment to which he agreed. On the way, on receiving a telephone call, the petitioner asked the complainant to stop the car which he did but after waiting for some time, he again started the car to take the petitioner to a hospital for medical treatment. By that time one vehicle bearing PB-03AA-7786 came from behind and signaled

the complainant to stop the car. Thereafter four persons who were known to the petitioner got down from the vehicle and on being exhorted by the petitioner they started giving beatings to the complainant and his wife. Several injuries were given by them which included one injury on the forehead of the complainant with a sharp edged weapon which was declared dangerous to life.

Seeking anticipatory bail for the petitioner, learned counsel submits that the petitioner has only attributed a *lalkara*; co-accused have been granted bail and that a compromise has been arrived at between the parties.

The allegations against the petitioner are grave. The MLR of the complainant shows an incised wound on his forehead which is above his right eye-brow. This injury has been declared dangerous to life. It further needs to be probed whether it was at the instance of the petitioner that the aforesaid four persons had come to the place of occurrence.

Regular bail to the co-accused would have no bearing to the decision of the present petition as the consideration for the grant of anticipatory bail and regular bail stand on different footing. Even otherwise, it is revealed by the State that the co-accused were granted bail under Section 167(2) Cr.P.C. on account of non-filing of the report under Section 173 Cr.P.C. within the prescribed time.

So far as the compromise having been arrived at between the parties is concerned, in my opinion, that too would not entitle the petitioner to the grant of anticipatory bail for the simple reason that the allegations against the petitioners are grave as he is alleged to be a part of

an unlawful assembly which caused injures to the complainant and his wife including an injury which was declared dangerous to life.

Dismissed.

June 01, 2017

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(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No