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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24078-2017 (O&M)
Date of decision: 26.07.2017

Gurbhej Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Ritesh Pandey, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This is a petition under Section 438 Cr. P.C. seeking anticipatory bail in case FIR No. 7 dated 5.2.2017 under Sections 307, 148, 149 IPC registered at Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur.

It is argued on behalf of the petitioner that petitioner has been implicated in the FIR on account of political vendanta and has also received injuries during the fight between the complainant party and the accused party.

Learned State counsel, on instructions from SI Sushil Kumar submits that as per the FIR, petitioner - Gurbhej Singh gave a *datar* blow on the head of one Kulwant Singh-brother of the complainant with the intention to kill him. He further submits that as per the opinion obtained from the doctor, the said injury is stated to be dangerous to life. It is further submitted that his medical was conducted on 16.2.2017 and copy of the MLR is annexed as Annexure P-2 with the petition.

Learned State counsel further submits that perusal of the FIR itself shows that Kulwant Singh was initially taken to Civil Hospital, Batala, where he

was referred to Amritsar on serious condition, however, he was admitted to Life Kare Hospital, Amritsar and he was under treatment in ICU.

Learned counsel for respondent submits that in Life Kare Hospital has submitted the case history relating to Kulwant Singh to the Civil Hospital, Batala and the EMO, Civil Hospital, Batala has made a report to SHO, Dera Baba Nanak giving all the details about the treatment of Kulwant Singh in Life Kare Hospital from 4.2.2017 to 14.2.2017.

Thus, it is submitted on behalf of the complainant that there was no delay and the MLR dated 16.2.2017 was recorded considering the treatment, reports of CT scan, MRI etc.

Since, the petitioner is attributed to the injuries on the head of Kulwant Singh which is declared to be dangerous to life, no ground for anticipatory bail is made out in the present petition.

However, the observations made in this petition are only for the purpose of deciding the present application and observations made above have no bearing on the merits of the case.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

26.07.2017
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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No