

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

CRM -M-26553 of 2017 (O&M)

Date of decision: 24.08.2017

Sandeep Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Dr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Pratham Sethi, Advocate for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab
assisted by SI Gaganpreet Singh.

Mr. Ashok Bhardwaj, Advocate for the complainant.

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. 42 dated 26.03.2015, registered under Sections 452, 323, 324, 506, 326, 450, 307 read with Section 34 of IPC, at Police Station Morinda, District Rupnagar.

Learned counsel for the petitioner contends that the present FIR is a counter blast to FIR No.29 dated 10.02.2015, registered under Sections 420, 465, 467, 471 and 120-B of IPC, at Police Station City Rupnagar against Avtar Singh and others, wherein the petitioner is one of the witnesses. The complainant of present FIR was employee of said Avtar Singh. Co-accused, Balwinder Kaur @ Harvinder Kaur and

Sonu have already been granted the concession of anticipatory bail by this Court. The petitioner is in custody since 02.02.2017.

On the other hand, the learned State counsel as well as learned counsel for the complainant oppose the bail application and state that petitioner along with co-accused multiple injuries on the person of complainant with sharp edged weapons

Heard.

Perusal of the record would reveal that petitioner armed with 'daah' along with co-accused inflicted as many as 11 injuries on the person of injured/complainant. As per medical record (Annexure P-7 colly.), injury No.8 is stated to be grievous in nature, which reads as under:-

“Incised wound present at the junction of distal and middle phalanx of right little finger, distal part amputated. Clotted blood present. Subject to ortho surgeon on opinion & x-ray report.”

Further as per medical report/advise dated 14.03.2016 of Medical Officer, ESI Dispensary No.2, Mohali, the injuries collective could have been dangerous to life. The report reads as under for the sake of reference:-

“In the said case in the absence of medical treatment, the possibility of fatal outcome i.e. death due to injuries No. 1 to 11 could have been possible, which is also proved by the record of Civil Hospital, Ropar whereby his hemoglobin was 6.3 gm/L (Anemic) and blood transfusion was given. Hence the injuries collective could have been dangerous to life.”

Keeping in view the gravity of offence coupled with medical

evidence available on record, this Court feels that the present petition deserves to be dismissed.

Dismissed.

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

24.08.2017
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(JITENDRA CHAUHAN)
JUDGE

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