

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15549-2018

Date of Decision: 10.05.2018

Prabhu Ram and another

.....Petitioners

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. H.B.S Baidwan, Advocate,
for the petitioners.

Mr. J.S. Walia, Sr. D.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Despite learned counsel for the petitioner having submitted on the last date of hearing that there was only one injury that showed up in the MLR as regards the complainant, learned State counsel has produced in Court today the MLR, showing three injuries shown to be received by the complainant, Surinder Pal, i.e. one superficial abrasion on his forearm, the second a superficial abrasion on his lower leg and the third one on his back on/near the scapula.

Though the injuries are simple injuries, the allegation also being that the petitioner entered in the house of the complainant and inflicted injuries on him with a baseball bat and a hockey stick, I do not think it is an appropriate case where the petitioners can be admitted to pre-arrest bail, the offence punishable under Section 452 IPC being very much a cognizable offence, and the alleged attack being with a baseball bat & and a hockey stick.

Consequently, this petition is dismissed and the interim order dated 19.04.2018 stands vacated.

However, nothing stated hereinbefore will be taken to be an observation of this Court on the actual merits of the case for or against the petitioners which would be gone into by the investigating agency and the competent Court at the appropriate stage, on the basis of evidence gathered/led.

Any subsequent application filed by the petitioner seeking bail under Section 438/439 IPC, would also be dealt with wholly on its own merits.

May 10, 2018
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes