

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

**CRM No.M-27559 of 2017 (O&M)
Decided on: 23.01.2018**

Krishan Kumar @ Goldy

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. J.S. Thakur, Advocate for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

Mr. Arvinder Arora, Advocate for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.111 dated 19.06.2017 registered under Sections 323, 324, 506 read with Section 34 of the Indian Penal Code, 1860 (in short 'IPC') at Police Station Shahzadpur, Tehsil Naraingarh, District Ambala.

Vide order dated 31.07.2017 noticing that the FIR is registered under Sections 323, 324, 506 read with Section 34 IPC, the petitioner was granted interim bail.

Later on, on 12.10.2017, counsel for the State, on instructions from the Investigating Officer, has submitted that the petitioner is required for further investigation as weapon of offence is yet to be recovered. Again, similar request was made on 30.11.2017 and the petitioner was directed to re-join the investigation.

Today, counsel for the State, on instructions from Inspector Sukhwinder Singh, submits that the petitioner has not co-operated and

weapon of offence has not been recovered yet. It is also stated that subsequent to registration of the FIR Section 326 IPC has been added as the petitioner is attributed injuries on the head of the complainant and minimally displaced fracture right high parietal bone with surrounding minimal swelling was found on the body of the complainant.

Counsel for the complainant has opposed the prayer for bail on the ground that the petitioner has suffered comminuted depressed fracture of right high parietal bone and the complainant is still under treatment and has not recovered yet.

Without commenting anything on merits of the case, considering the fact that subsequent to grant of interim bail, Section 326 IPC has been added and in view of the nature of injuries sustained by the complainant which is attributed to the petitioner and also in view of the fact that the petitioner has not co-operated with the investigation and the prosecution has failed to recover the weapon of offence, I find no ground to grant discretionary relief to the petitioner and the present petition is accordingly dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

23.01.2018
yakub

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