

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

**CRM-M No.29302 of 2017
Decided on: 26.04.2018**

Varinder Singh and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Dharampal Gill, Advocate for the petitioners.

Ms. Samina Dhir, DAG, Punjab.

Mr. Nitish Garg, Advocate for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No.154 dated 10.07.2017 registered under Sections 452, 323 read with Section 34 IPC at Police Station Sohana, Sector 66, District Mohali.

Counsel for the petitioners submits that the petitioners, in pursuance to the order dated 11.08.2017, have already appeared before the Investigating Officer and joined the investigation.

Affidavit of the Deputy Superintendent of Police, (City – II), District S.A.S. Nagar, Mohali filed in the Court is taken on record (in CRM-M No.28769 of 2017). As per this affidavit, the opinion of the Medical Officer, Civil Hospital, Phase – VI, Mohali dated 11.01.2018 and 06.04.2018 is reproduced as follows:-

“As per GH-Sec.16 record Pt. Surjeet Singh was admitted vide OPD No.201712625. Pt. was examined by General Surgeon and NCCT had MCC head got done which showed (M) study of brain. So nature of injury for No.(1) is simple. Regarding injury No.(2) Kindly provide me x-ray report which is not enclosed with the document. As per GH-16 file record orthopaedic examined the Pt. and got x-ray done but report is not provided with the enclosed documents.

*Sd/- 11.01.2018
Dr. Sukhwinder Kaur,
Medical Officer, Sector 39
Chandigarh.”*

*“....Pt. Surjeet Singh son of Kulwant Singh r/o
Badhi Medico legally examined by me on 10.07.2017.
Patient was referred to GH-16 for NCCT and x-ray report
shoulder joint...”*

*Regarding injury No.2) x-ray was done in GH-16.
Today I received the x-ray report. As per report no Bone
Injury present So nature of injury No.2 is simple.*

*Sd/- 06.04.2018 11:45 a.m.
Civil Dispensary, Punjab Govt.
Sector – 39/D, Chandigarh.”*

As per the opinion of the doctor, the nature of injury No.1 is simple and injury No.2 after the x-ray, is also declared as simple in nature.

Counsel for the State, on instructions from ASI Om Parkash, assisted with counsel for the complainant has not disputed the factual position and submits that the petitioners are no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioners vide order dated 08.08.2017 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

**(ARVIND SINGH SANGWAN)
JUDGE**

26.04.2018
yakub

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