

205 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

Hemlata  
2018.02.03 10:36  
I attest to the accuracy and  
integrity of this document

CRM-M-37314-2017(O&M)

Date of decision:01.02.2018.

Vasakha Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present: Mr. Dinesh Sharma, Advocate  
for the petitioner.

Mr. Rahul Rathore, DAG, Punjab.

Mr. B.S.Seemar, Advocate  
for the complainant.

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**ARVIND SINGH SANGWAN, J. (ORAL)**

Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.122, dated 28.07.2017 under Sections 323, 324, 506, 34, 341 IPC (Section 326 IPC was added later on), registered at Police Station Ladowal, District Commissionerate Ludhiana (Punjab).

As per allegation in the FIR, petitioner-Vasakha Singh gave a *dath* blow on the right arm of complainant-Sukhdeep Singh. As per MLR, injury No.3 is stated to be grievous injury.

Vide order dated 06.10.2017, while granting interim bail, the petitioner was directed to join the investigation. Later on, 01.12.2017, the learned State counsel as well as counsel for the complainant has submitted that the petitioner is not cooperating with the investigation and recovery of weapon is yet to be effected. Thereafter, the petitioner was again directed to appear before the Investigating Officer and it was clearly observed in the order that in case, the petitioner fails to cooperate with the investigation, the interim order granting bail shall stands vacated.

Again today, learned State counsel, on instructions from HC Swaran Singh, assisted by learned counsel for the complainant has opposed the prayer for granting anticipatory bail to the petitioner on the ground that though the petitioner has joined the investigation, however, he is not cooperating with the Investigation and the recovery of weapons i.e. *kirpan* and *dath* are yet to be effected.

Learned counsel for the complainant has further submitted that the petitioner is attributed injury No.3 on complainant-Sukhdeep Singh and this injury has been declared grievous injury. It is also submitted that the other three co-accused were arrested and have been granted concession of regular bail and therefore, the petitioner who has failed to cooperate with the investigation, is not entitled to grant of anticipatory bail.

After hearing learned counsel for the parties and on perusal of the FIR, it is apparent that petitioner-Vasakha Singh has given a *dath* blow on the right arm of Sukhdeep Singh which hit on his elbow and resulted into a fracture. The injury No.3, as per MLR of Sukhdeep Singh, is a grievous injury whereas two other injuries have been declared to be simple injuries.

Apart from this, the petitioner failed to cooperate with the investigation. Hence, I does not see any reason to grant anticipatory bail to him.

Dismissed.

(ARVIND SINGH SANGWAN)  
JUDGE

01.02.2018  
Hemlata

Whether speaking/reasoned  
Whether reportable

Yes / No  
Yes / No