

Sr. No.203

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

CRM No. M-43415 of 2017 (O&M)

Date of Decision: 07.02.2018

Vijay Partap Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. G.S.Kaura, Advocate,
for the petitioner.

Mr. S.S.Sandhu, AAG, Punjab.

Mr. H.S.Jaswal, Advocate,
for the complainant.

TEJINDER SINGH DHINDSA, J.(ORAL)

Instant petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.206 dated 31.12.2016, under Sections 324/323/148/149 IPC (Section 308/325/326 added later on), registered at Police Station Beas, District Amritsar.

Counsel for the petitioner has been heard at length.

FIR came to be registered on the statement of Ravinder Singh in relation to an alleged occurrence dated 28.12.2016.

Insofar as the present petitioner is concerned, the specific allegations are with regard to him being armed with a kirpan and having inflicted a kirpan blow on the right side of the chest of the complainant.

The ocular version of the complainant stands corroborated from the MLR which was produced by learned State counsel.

The injury attributed to the petitioner has been opined to be grievous in nature.

Keeping in view the serious charge and gravity of the offence, this Court is not inclined to extend in favour of the petitioner the concession of pre arrest bail.

It would be apposite to take note that on a previous date of hearing i.e. on 18.12.2017, the following order was passed by this Court:

“Learned counsel for the petitioner is ready to pay Rs.50,000/- by way of demand draft towards compensation for medical reimbursement.

In the event of arrest, petitioner shall be released on ad interim anticipatory bail in FIR No.206 dated 31.12.2016, registered under Sections 324, 323, 148, 149 of Indian Penal Code (Sections 308, 325 & 326 added later on), at Police Station Beas, District Amritsar, on furnishing of his bail bonds amounting to Rs.10,000/- with one surety of like amount to the satisfaction of the arresting officer. Petitioner is directed to join the investigation as and when required and fully cooperate with the Investigating/Arresting Officer. Petitioner shall abide by the conditions envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.

Amount of Rs.50,000/- by way of demand draft shall be deposited within one month. Failing

which, interim order shall be cancelled.

Adjourned to 07.02.2018.”

During the course of hearing today, it stands conceded that the petitioner has not even deposited the amount of Rs.50,000/- by way of demand draft towards compensation for medical reimbursement.

Even State counsel upon instructions from ASI Joginder Singh informs the Court that the petitioner has chosen not to join investigation.

In view of the above, present petition is dismissed.

07.02.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No