

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

CRM-M-51712-2018 (O&M)

Date of Decision:-10.12.2018

Tarsem Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. B.D. Sharma, Advocate for the petitioner.

Mr. A.S. Sandhu, Additional Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.179 dated 12.10.2018 registered at Police Station Chatiwind, District Amritsar (Rural) under Sections 323, 324, 452 and 34 of Indian Penal Code, 1860.

The FIR was registered at the instance of Jasbir Kaur, wherein it has been alleged that on the day of occurrence when she, her daughter-in-law Pooja and her son Gursewak Singh were present in the courtyard of their house then Tarsem Singh armed with a '*kirpan*', Jagir Singh armed with a '*dang*' and Randhir Kaur empty handed entered their house. Tarsem Singh is alleged to have given a blow with '*kirpan*' on the head of Gursewak Singh, while Jagir Singh is stated to have given 3-4 blows with '*dang*' to Gursewak Singh on his left arm, chest and both the legs.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that in any case it is a case of cross-version, wherein Jagir Singh, father of the petitioner, has also sustained as many as six injuries including two incised wounds, out of

which one incised wound is on forehead and that there is no explanation for the said injuries in the FIR.

The learned State counsel, while opposing the petition, has submitted that from a perusal of the injuries sustained by Gursewak Singh as well as by father of the petitioner, it is quite evident that it is the petitioner who was the aggressor inasmuch as the injury caused by the petitioner measures 5 cms X 1½ cms on the head of Gursewak Singh, which had been declared as a 'grievous injury', whereas the injuries alleged to have been caused to father of the petitioner, are all in the nature of simple injuries.

Having considered rival submissions addressed before this Court and bearing in mind the fact that the injury caused by the petitioner was caused on the head of Gursewak Singh with a sharp edged weapon, which resulted in a fracture, this Court does not find any ground special case for grant of anticipatory bail. The petition, as such, is sans any merit and is hereby dismissed.

10.12.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No