

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

205

**CRM-M-53656 of 2018
Date of Decision: 19.12.2018**

Davinder Kumar and another ...Petitioners.

Versus

State of PunjabRespondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Ritesh Pandey, Advocate for the petitioners.

Mr. A.P.S. Gill, DAG, Punjab.

Shekher Dhawan, J.

Present petition under Section 438 of the Criminal Procedure Code is for grant of anticipatory bail to the petitioners in case F.I.R. No.44 dated 10.10.2018 under Sections 323, 324, 379, 148, 149 of the Indian Penal Code and Section 326 IPC was added later on, registered at Police Station Qadian, District Batala.

Learned counsel representing the petitioner contended that the petitioners herein were earlier admitted to bail in the case. Initially the case under Sections 323, 324, 379, 148, 149 IPC was registered against them, later on the basis of medical opinion Section 326 IPC was added and no recovery of weapon is to be effected from the present petitioners.

Learned State counsel on the basis of medical opinion contended that the injured Ram Raj remained admitted in the hospital for

treatment for a number of days and his injury was declared to be under Section 326 IPC. However, admitted that no recovery of weapon is to be effected from the petitioners.

Taking into consideration all these facts that the petitioners were earlier admitted to bail, which they have not misused by now and Section 326 IPC has been added later on, on the basis of medical opinion and no recovery of weapon is to be effected from the present petitioners. As such, the present petitioners are ordered to released on bail in this case including Section 326 IPC, on their furnishing bail and surety bonds to the satisfaction of trial Court.

The petition stands allowed.

(SHEKHER DHAWAN)
JUDGE

19.12.2018
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No