

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Hemlata
2018.03.07 09:26
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CRM-M- 7645-2018(O&M)
Date of decision:01.03.2018

Mintu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vipin Mahajan, Advocate, for the petitioner.

Mr. Abhaypal Singh Gill, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.121, dated 25.12.2017, under Sections 308, 323, 452, 34 of IPC, registered at Police Station Sekhwan, Police District Batala, District Gurdaspur, Punjab.

Brief facts of the case are that on the statement of one Sonu, the aforesaid FIR was registered with the allegation that the petitioner and another co-accused caused injuries on the head and left eye of the injured person with their respective weapons. As per MLR of injured-Sonu, it is stated to be a case of alleged history of assault. Later on, as per opinion given by the doctor, injury No.1 is declared as dangerous to life as there is a linear nondisplaced fracture of part temporal bone of both sides. This opinion is based on CT Scan report of injured-Sonu. A perusal of the admission card also shows that at the time of admission, it is stated to be a case of assault / Head Trauma.

Learned counsel for the petitioner submits that the petitioner and the complainant are the cousins and are residing in the neighbourhood. There was a dispute between the parties regarding possession of common

passage where a hand pump is installed and an FIR has been registered after a long delay of more than 05 months.

Learned State counsel, on instructions from ASI Jaswinder Singh, on the basis of MLR, has opposed the prayer for bail on the ground that the injuries sustained by Sonu are declared to be dangerous to life.

After hearing counsel for the parties, considering the nature of injury caused by the petitioner, which is declared dangerous to life, there is no ground for grant of anticipatory bail to the petitioner.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

01.03.2018
Hemlata

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