

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

**CRM-M No.7712 of 2018
Decided on: 26.04.2018**

Uttam Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Inder Pal Singh, Advocate for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

Mr. Ashok Saini, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

This is the second petition seeking anticipatory bail to the petitioner in DDR No.29 dated 05.07.2017 (Annexure P3) under Sections 326, 323, 324, 148, 149 IPC in FIR No.88 dated 11.06.2017 registered under Sections 307 read with Section 34 IPC and 25/27/54/59 of the Arms Act at Police Station Sadar Patti, District Tarn Taran.

While passing the order dated 06.03.2018, considering the fact that it is a case of version and cross-version, the petitioner was granted on interim bail with a direction to join the investigation.

Counsel for the petitioner has submitted that the petitioner, in pursuance to the order dated 06.03.2018, has already appeared before the Investigating Officer and joined the investigation.

Counsel for the State, on instructions from HC Naib Singh, assisted with counsel for the complainant has, however, opposed the

submission made by counsel for the petitioner on the ground that the second anticipatory bail application of co-accused namely Nishan Singh has already been dismissed by this Court vide order dated 03.04.2018 passed in CRM-M No.11216 of 2018. It is further submitted that injury No.3 sustained by the complainant was an incised wound and it was declared as a grievous injury as per the opinion of the Medical Board and this injury is attributed to the petitioner.

Counsel for the State has further argued that the petitioner is not co-operating in the investigation.

Counsel for the complainant has also submitted that in the cross-version, the complainant namely Kuldeep Singh is also in judicial custody.

After hearing the counsel for the parties and considering the allegations levelled in the FIR and also in view of the fact that the petitioner – Uttam Singh, has caused the injury No.3 with a gandasi blow on the left arm of the complainant, which was declared as grievous in nature under Section 326 IPC; the petitioner has failed to co-operate in the investigation, no ground for grant of anticipatory bail to the petitioner – Uttam Singh is made out.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

26.04.2018
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No