

**CRM-6982-2019 in/and**  
**CRM-M-57330-2018**

**-1-**

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-6982-2019 in/and  
CRM-M-57330-2018

Date of decision: 28.02.2019

Bachitar Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN**

PRESENT: Mr. Vikas Gupta, Advocate for the applicant-petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

**RAMENDRA JAIN, J. (ORAL)**

**CRM-6982-2019**

Application is allowed as prayed for.

Copies of MLR of complainant-Jasbir Singh and injured-Rajinder Singh (Annexures P-4 and P-5, respectively) filed along with the application are taken on record, subject to all just exceptions. Be tagged at the appropriate place.

**CRM-M-57330-2018**

Through this petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail in case FIR No. 37 dated 14.03.2018 registered under Sections 323 and 324 read with Section 34 IPC (Section 326 IPC added lateron) at Police Station Jandiala, District Amritsar.

According to the prosecution, in the night of 10.03.2018, the petitioner armed with datar along with his accomplice Sukhdev Singh, armed with iron rod and Murta Singh empty handed, abused and caused multiple injuries to complainant-Jasbir Singh and Rajinder Singh, including grievous one on the head of Rajinder Singh and on various parts of their bodies.

Learned counsel for the petitioner *inter alia* contends that FIR was lodged after a delay of four days with concocted version. Petitioner has falsely been implicated in the instant case. Two co-accused of the petitioner have been granted the concession of anticipatory bail by the trial Court. The Area Magistrate, upon the application of the petitioner, had ordered for re-examination of complainant-Jasbir Singh and injured-Rajinder Singh, through a Medical Board to ascertain as to whether injury on the head of injured-Rajinder Singh, was grievous in nature, but the complainant and injured did not appear for their re-examination. Their non-appearance before the Medical board, requires to draw adverse inference that they intentionally concealed themselves from appearing before the Medical Board.

On the other hand, learned State counsel vehemently opposing the submissions of learned counsel for the petitioner contends that the petitioner is the main accused, who inflicted injury on the vital part of injured-Rajinder Singh, i.e. forehead with a sharp edged weapon. Recovery of weapon of offence has also to be effected from the petitioner. In case, the petitioner is granted the concession of anticipatory bail, he would

Considering the seriousness of allegations levelled against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. The instant petition being meritless is dismissed.

**February 28, 2019**  
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**( RAMENDRA JAIN )**  
**JUDGE**

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|----------------------------------|---------------|
| <b>Whether speaking/reasoned</b> | <b>Yes/No</b> |
| <b>Whether reportable</b>        | <b>Yes/No</b> |