

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

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Crl. Misc. No.M-53266 of 2019

Date of Decision:- 13.12.2019

Daljeet Singh

....Petitioner

vs.

State of Punjab

....Respondent

BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Iqbal Singh Mann, Advocate,
for the petitioner.

Sudhir Mittal, J. (Oral)

According to the FIR, the petitioner and his son Lovepreet Singh inflicted head injuries on the complainant with a sword.

Learned counsel for the petitioner submits that in the MLR (Annexure P-1), the petitioner is shown to be admitted on 26.10.2019 at 11.58 p.m. whereas according to the FIR, the incident took place on 27.10.2019 at 8.00 p.m. Thus, false implication of the petitioner cannot be ruled out. Moreover, co-accused Lovepreet Singh has been declared innocent in the investigation by the police.

Notice of motion.

Mr. Prabhjot Singh Walia, learned DAG, Punjab, accepts notice on behalf of the respondent-State. Let two copies of the complete paper book be supplied to him during the course of day. Mr. Gurpal Singh Sandhu, Advocate, puts in appearance on behalf of the complainant and submits that co-accused Lovepreet Singh has not been declared innocent till

date. He has moved an application for fresh/further investigation. The same is still pending. A supplementary statement of the complainant has been recorded on 30.11.2019 wherein he has stated that the incident took place on 26.10.2019 at 8.00 p.m. The error crept into the FIR only because the petitioner was unconscious. Serious head injuries have been inflicted by the petitioner and the same have been declared dangerous to life. Thus, the petitioner does not deserve the concession of anticipatory bail.

From the submissions of counsel for the parties, it is clear that the complainant has sustained head injuries which have been declared dangerous to life. The said injuries have been inflicted with a sword which is a sharp edged and dangerous weapon. Thus, the allegations against the petitioner are serious in nature. The error in the date of the incident shall be gone into during the trial and at this stage, it cannot be positively said that the petitioner has been falsely implicated.

The petition is without merit and is accordingly dismissed.

December 13, 2019
poonam

(SUDHIR MITTAL)
JUDGE

Whether Speaking/Reasoned

Yes

Whether Reportable

No