

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

208

**CRM-M No. 5084 of 2020
Date of Decision:13.2. 2020**

ROOP LAL AND ORS

.....Petitioners

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.Dheeraj Mahajan, Advocate
for the petitioners.

Mr.Ramandeep Sandhu, Sr.DAG, Punjab.

Mr. Manoj Sharma, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

The petitioners seek grant of anticipatory bail in case bearing FIR No. 2 dated 12.1.2020 registered under Sections 341, 323, 324, 148, 149 IPC and Section 326 IPC (added later on) at Police Station Behrampur District Gurdaspur.

Both the parties have their own versions. The FIR was delayed by eight days.

Learned State counsel with reference to police proceedings states that though the information in respect of admission of the injured was given by the 'doctori ruqa' to the police, but the complainant did not come forward to get his

statement recorded on 4.1.2020 without consulting his relatives. The statement has been recorded on 12.1.2020. In this manner, the delay stands duly explained by the learned State counsel/complainant.

As per Medico Legal Report of the complainant, injury No.2 was declared to be grievous in nature. The said injury is attributed to petitioner No.2 Shashi Kumar son of Sukh Pal, who gave datar blow on the ring finger of the right hand of the complainant. The finger stands chopped off. The injury falls under the ambit of offence under Section 326 IPC.

So far as remaining petitioners are concerned, they are authors of simple injuries on the person of the complainant. This factual matrix has not been disputed by learned State counsel, on instructions from SI Tara Singh.

Learned counsel for the complainant seeks to argue the case with reference to the nature of injuries factually found on the person of the complainant. He seriously disputes medical opinion of the doctor.

Evidently, the complainant has not approached the authority for any further opinion of the doctor so far.

In view of the aforesaid facts, I deem it appropriate, to direct petitioners No.1, 3 and 4 to join investigation on 21.2.2020. In the event of their appearance before the

Investigating Officer, they shall be granted bail on their furnishing adequate bail bonds/ surety bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- (i) that petitioners No.1, 3 and 4 shall make themselves available for interrogation before the Investigating Officer as and when required;
- (ii) that petitioners No.1, 3 and 4 shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;
- (iii) that petitioners No.1, 3 and 4 shall not leave the country, without prior permission of the Court and shall surrender their passports, if any.

However, petition qua petitioner No.2 is dismissed, leaving him to avail his legal remedy in accordance with law.

Petition stands disposed of accordingly.

February 13, 2020

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No