

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-30018 of 2020  
Date of decision: 26.11.2020

Omi @ Om Parkash

... Petitioner

Vs.

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Chandan Singh Rana, Advocate, for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

**SUVIR SEHGAL, J. (Oral)**

The Court has been convened through video conferencing due to Covid-19 pandemic.

Through the instant petition, the petitioner seeks anticipatory bail in case FIR No.10 dated 06.01.2020, registered under Sections 308/323/506/341/148 and 149 of Indian Penal Code, 1860 at Police Station Division No.7, District Ludhiana.

In pursuance to the order dated 28.09.2020, an affidavit dated 08.10.2020 of Assistant Sub Inspector, P.S. Division No.7, Ludhiana, has been filed. Same is taken on record. Copy thereof, has been supplied to the counsel for the petitioner. In para 3 and 4 of the affidavit, it has been deposed as under:-

*“3. That in compliance to the said order of this Hon'ble Court, it is respectfully submitted that initially*

*injure/complainant Ramesh Kumar got himself medically examined from Civil Hospital, Ludhiana in which total three injuries i.e. one at forehead, one at left cheek and one at left eye. Thereafter, the complainant got his treatment from Arora Neuro Centre, Ludhiana in which the doctor declared injury no.1 on the forehead of the complainant as “grievous” and further mentioned “placed fracture of (L) parietal bone”. Accordingly, FIR No.10 dated 06.01.2020, u/s 308, 323, 506, 341, 148, 149 IPC, P.S.Division No.7, Ludhiana was registered against the present petitioner and seven other accused.*

*4. That, however, during the further investigation, it was revealed that the said injury was not dangerous to life, therefore, offence u/s 308 IPC is not made out and commission of offence u/s 325 IPC is made out. Accordingly, offence u/s 308 IPC has been removed and offence u/s 325 IPC has been added on 03.10.2020. Thus, all the offences in the said FIR are bailable.”*

In view of the development, counsel for the petitioner prays for withdrawal of the petition. Permitted to do so.

Dismissed as withdrawn.

**(SUVIR SEHGAL)**  
**JUDGE**

**November 26, 2020**

savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No