

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

**204**

**CRM-M-29963-2020 (O&M)  
Decided on : 13.10.2020**

Gurnam Singh

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA**

Present: Mr. Simranjit Singh Goraya, Advocate for the petitioner.

Mr. A.A. Pathak, Addl. AG, Punjab.

Mr. P.S. Gill, Advocate for the complainant.

(The proceedings are being conducted through  
video conferencing, as per instructions.)

**G.S. Sandhawalia, J. (Oral)**

**CRM-24881-2020**

Application for placing on the record the MLR of the complainant as Annexure R-1, is allowed. Annexure R-1 is taken on record. Office to tag the same at the appropriate place.

CRM stands disposed of.

**Main case**

The petitioner in the present petition filed under Section 438 Cr.P.C., seeks grant of anticipatory bail in case FIR No.140 dated 01.09.2020 under Sections 323, 324, 148, 149 IPC registered at Police Station Bullowal, District Hoshiarpur (Annexure P-1).

Counsel for the petitioner has submitted that the incident took place on 20.08.2020 and the FIR was only lodged on 01.09.2020. It is submitted that the parties are closely related and the petitioner has been

falsely implicated, since he was married to the sister of the complainant- Lakhwinder Singh, who had died in 2018 due to consumption of medicine.

A perusal of the FIR would go on to show that the petitioner has been specifically named alongwith four other persons. The complainant Lakhwinder Singh was injured with Kirpan and hockey sticks. The complainant's brother Surinder Singh had got admitted him at KDM Hospital, Hoshiarpur.

The order of the Additional Sessions Judge, Hoshiarpur (Annexure P-2) shows that there are as many as 9 injuries on the person of the complainant and fracture of the bone of the head.

Mr. Gill and Mr. Pathak, have submitted that the delay as such is occurred in lodging of the FIR, on account of the fact that the medical treatment was being done of the complainant.

A perusal of the MLR which was done on 20.08.2020, would go on to show that the complainant suffered the following injury on his head, which was declared as dangerous to life.

**“Opinion:** Depressed fracture frontal bone on right side involving frontal sinus with overlying scalp subgaleal haematoma & preseptal right peri-orbital soft tissue swelling.

Fracture lateral wall of right orbit;

Multiple Haemorrhagic contusions with perilesional edema & SAH in right frontal lobe;

An extra-axial bleed with 10MM thickness in right fronto-temporal regions.”

It is the settled principle that the anticipatory bail is to be granted in exceptional cases. In the present case, the weapon of offence is yet to be recovered and the identity of the other accused has to done for the purpose of completing the investigation. Therefore, if any interim order is passed, it would be difficult for the prosecution to collect evidence and complete investigation.

Accordingly, there is no merit in the present petition and the same is dismissed.

**OCTOBER 13, 2020**  
*Naveen*

**(G.S. SANDHAWALIA)**  
**JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No