

208

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

CRM-M No.13542 of 2021(O&M)

Date of Decision: 28.09.2021

Ajmer Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Jashan Jot Singh Uppal, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl., A.G., Punjab.

Mr. R.S. Dadwal, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

The petitioner seeks grant of anticipatory bail in case bearing G.D. No.10 dated 08.06.2018 registered under Sections 452, 323, 294, 506, 148, 149 IPC (Section 308 IPC added later on) at Police Station Hathur, District Ludhiana Rural in FIR No.89 dated 07.06.2018 registered under Sections 452, 323, 506, 34 IPC at Police Station Hathur, District Ludhiana Rural.

Notice of motion was issued on 24.03.2021. Petitioner is the author of brick blow on the head of complainant Gurmeet

Singh. Injury falling under Section 308 IPC is attributed to Pardeep Singh on the person of Dalip Singh. The said injury was found to be a grievous injury. Pardeep Singh has been granted regular bail by the Court of sessions. Petitioner has not inflicted any injury to Dalip Singh. The injury attributed to the petitioner is brick blow on the head of Gurmeet Singh. On 31.03.2021, arrest of the petitioner was stayed. X-ray report of Gurmeet Singh was still awaited.

Now in reply filed by way of affidavit of Gurbachan Singh, PPS, Deputy Superintendent of Police, Raikot, Police District Ludhiana (Rural), Ludhiana, medical record of Gurmeet Singh has been attached as Annexure R-1 to show that injury No.1 on being subjected to X-ray is found to be simple injury as no bone injury is found therein.

Looking to the aforesaid circumstances, I am of the view that the petitioner has made out a case for the grant of anticipatory bail. The petition is allowed. Petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 03.10.2021 and in the event of his arrest, he shall be released on anticipatory bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner 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 him/her from disclosing such facts to the Court or to any police officer;
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

(RAJ MOHAN SINGH)
JUDGE

28.09.2021

Prince

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No