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

**CRM-M-35041-2021
Date of Decision: 01.11.2021**

Nachhatar Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Vipin Mahajan, Advocate,
for the petitioner.

Mr. B.S. Sewak, Additional Advocate General, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

This is a petition filed on behalf of the petitioner for anticipatory bail under Section 438 Cr.P.C. in case FIR No.86 dated 01.07.2021, under Sections 326, 324, 323 and 34 of the IPC (Annexure P-1), registered at Police Station Sadar Batala, Police District Batala, District Gurdaspur, Punjab.

2. The present FIR was lodged by one Sukhwinder Singh, who had alleged that on 27.06.2021, he and one Sikander Singh were assaulted by the petitioner and certain other persons led by one Jagir Singh, and that the sharp-edged weapons were used in the assault.

3. Ld. Counsel for the petitioner draws attention of the Court to the specific averment made in the FIR that the petitioner had allegedly inflicted a *datar* blow on the victim-Sikander Singh, which hit him near the thumb of his

right hand.

4. Perusal of the MLR of the concerned victim (Annexure P-2) shows that such injury imputed to the petitioner is noted at Serial No.4. Now from the report submitted by the Medical Board to the Investigating Authorities (Annexure P-3), it transpires that out of the four injuries suffered by the victim-Sikander Singh, only injury No.3 (not attributable to the petitioner) was found to be grievous in nature. Consequently, the injury allegedly caused by the petitioner would clearly fall in the category of 'simple' in nature.

5. For the aforesaid reasons, the petitioner's prayer for anticipatory bail is allowed and he is ordered to be released on bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. However, he shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

6. Disposed off.

01.11.2021

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No