

214

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 3010 of 2022 (O&M)
Decided on: 29.03.2022

Sonu @ Sona

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Vikasdeep Singh, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.309 dated 09.12.2021, registered under Sections 325, 323, 506, 34 IPC (Section 308 IPC added later) at Police Station Sultanpur Lodhi, District Kapurthala.

The operative part of the order dated 25.01.2022, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...The FIR was registered by Laddi son of Sh. Pappu. He claims that there was a dispute with regard to the construction of the stairs. The petitioner is stated to have given a blow on the left side of the head of the injured/first informant with a wooden stick, whereas Nikka gave an injury on his right leg with “Kulhari”.

The learned counsel representing the petitioner contends that the cross-version, vide DDR No. 29 dated 22.12.2021, under Section 325, 323 & 34 IPC, has been

registered against the first informant's party. He further contends that the offence under Section 308 IPC has been added after a period of 20 days on the opinion of a doctor, employed in the private hospital. He further contends that the petitioner has been falsely implicated in the present case.

Notice of motion....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 25.01.2022, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from the Investigating Officer, and as per the affidavit of the Civil Surgeon, Kapurthala, argued that it is duly explained in the affidavit that the concerned doctor, due to a fault in the computer network system has given the hand-written report, considering it to be a case of urgent nature and there is no *mala fide* intention for the same on the part of the concerned medical officer.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 25.01.2022 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

29.03.2022
yakub

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No