

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

**CRM-M-26344 of 2022**  
**Date of decision: 13.06.2022**

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Shingara Singh @ Singara Singh

....Petitioner(s)

Versus

State of Punjab

....Respondent(s)

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

Present: Mr. A.S. Barnala, Advocate,  
for the petitioner.

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

The present petition has been filed under Section 438 Cr.P.C. praying for grant of anticipatory bail to the petitioner in case FIR No. 82 dated 29.04.2022 registered under Sections 308, 323, 506, 34 IPC (offence under Section 304 IPC added later on and offence under Section 308 IPC deleted later on), P.S. Civil Lines, Patiala, District Patiala.

A perusal of the FIR would go on to show that specific allegations have been made against the petitioner of giving severe beating to the deceased Gurvinder Singh with *dandas* and fist blows. On account of the same, he is stated to have fallen down and his head had hit the corner of the stair case. Counsel has attempted to draw the attention of this Court to the incident that the death has taken place on 29.04.2022 though the incident is of 22.04.2022 and the allegations are only of giving fist blows and the likelihood as such of being falsely involved is highlighted since the dispute was qua hiring of the ambulances at a lower rate. The petitioner is stated to be the security guard in the Rajindra Hospital, Patiala.

A perusal of the medico legal report would go on to show that the deceased was admitted on 22.04.2022 in the Rajindra Hospital, Patiala and was thereafter had to undergo head surgery in PGIMER, Chandigarh, from where he was discharged on 26.04.2022 and thereafter sent back to the Rajindra Hospital, Patiala for nursing care and eventually expired on 29.04.2022. The injuries which the deceased suffered at the hands of the petitioner are as under:-

“Natural orifices (Please note presence of blood, froth etc in mouth, nose, ears (specify (Rt Lt), anus, vagina and urethra)

SURGICAL WOUND OVER NEC INDICATING SIGNS OF TRACHEOSTOMY AND EVIDENCE OF IV ACCESS ON BOTH HAND AND NECK INDICTING PART OF TREATMENT.

| Examination of External Injuries |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |        |               |
|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|---------------|
| Sr. No.                          | Injuries                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Marked | Injury Number |
| 1                                | SURGICAL STITCHED WOUND CURVED IN SHAPE OF LENGTH 14 CM OVER LEFT PARIETOTEMPORAL REGION OF HEAD, ON EXPLORATION SIGNS OF SURGICAL DECOMPRESSIVE CRANIOTOMY WITH SURGICAL REMOVAL OF SKULL BONE FLAP PRESENT, TEMPORAL NBBLING AND DURAL BLUGE PRESENT, MULTIPLA CONTUSIONS PRESENT OVER LEFT FRONTOL TEMPORAL AND PARIETAL REGION OF BRAIN WITH DIFFUSE EREBRAL OEDEMA WITH INFILTRATION OF BLOOD IN SURROUNDING TISSUES ABOUT 80 CC OF CLOTTED BLOOD MIXED WITH FLUIDS PRESENT IN BASE OF SKULL. | Yes    | 2             |
| 2                                | SCAB FALLEN OVER OVER BONY PROMINENCE OF RIGHT KNEE WITH REDDISH DISCOLOURATION BENEATH.                                                                                                                                                                                                                                                                                                                                                                                                           | Yes    | 3             |
| 3                                | SCAB FALLEN OVER OVER BONY PROMINENCE OF RIGHT ANKLE AND FOOT WITH REDDISH DISCOLOURATION BENEATH.                                                                                                                                                                                                                                                                                                                                                                                                 | Yes    | 4             |
| 4                                | NOSE DEFORMED, ON EXPLORATION, UNDERLYING MINOR FRATURE WITH EVIDENCE OF VITAL REACTION.                                                                                                                                                                                                                                                                                                                                                                                                           | Yes    | 5             |
| 5                                | STITCHED WOUND OF LENGTH 2 CM OVER OCCIPITAL REGION OF HEAD, 6 CM ABOVE POSTERIOR HARILINE AND 5 CM FROM RIGHT EAR PINNA WITH EVIDENCE OF IV ACCESS                                                                                                                                                                                                                                                                                                                                                | Yes    | 1             |
| 6                                | SURGICAL WOUND OF LENGTH 13 CM WHICH IS HORIZONTALLY PLACED OVER RIGHT SIDE OF ABDOMEN AND 4 CM ABOVE UMBILICUS, ON EXPLORATION, SKULL BONE FLAP FOUND WHICH IS PART OF CRANIOTOMY.                                                                                                                                                                                                                                                                                                                | Yes    | 6             |

In such circumstances, this Court is of the opinion that the custodial interrogation as such of the petitioner is required and it is not a fit case for grant of anticipatory bail. The Sessions Judge, Patiala has thus rightly rejected the same vide order dated 27.05.2022 (Annexure P-3).

In such circumstances, no case is made out for grant of anticipatory bail and the present petition accordingly stands dismissed.

13.06.2022  
shivani

(G.S. SANDHAWALIA)  
JUDGE

Whether reasoned/speaking  
Whether reportable

Yes/No  
Yes/No