

203-a IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:092378
CRM-M-23581-2023
Date of Decision: July 21, 2023

Budh Ram

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Munish Raj Chaudhary, Advocate for the petitioner.
Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

On 17.05.2023, following order was passed by this Court:-

“Petitioner prays for grant of anticipatory bail in case FIR No.586 dated 20.12.2022 registered under Sections 307, 323, 506, 148, 149 & 427 IPC at Police Station City Barnala, District Barnala.

On 10.05.2023, the following order was passed:-

“Petitioner prays for grant of anticipatory bail in case FIR No.586, dated 20.12.2022, registered at Police Station City Barnala, District Barnala, under Sections 307, 323, 506, 148, 149 and 427 of IPC.

Contention of learned counsel for the petitioner is that only injury attributed to the petitioner is with base ball on the head of Manpreet Singh. Learned counsel has drawn attention towards the medical report (Annexure P-5) as per which there was nothing to suggest that injuries were dangerous to life to Manpreet Singh, although injuries were found to be grievous in nature. Learned counsel contends that similarly placed co-accused Kunal Kumar @ Kunal Verma was granted the benefit of anticipatory bail vide order dated 02.05.2023 in CRM-M-11990-2023.

Notice of motion.

Mr. R.S. Khaira, DAG, Punjab, accepts notice on behalf of the respondent-State. Copy of the paper book be supplied to him during the course of day.

Opposing the bail petition, learned State counsel has drawn attention towards the contents of the FIR revealing that it is the petitioner, who along with co-accused Akram Khan @ Akku, who had opened he attack upon Manpreet Singh and only thereafter the other coaccused arrived at the place of occurrence.

Status report be filed on behalf of the respondent-State on 17.05.2023.”

Today status report by way of affidavit of Shri Satvir Singh, Deputy Superintendent of Police, Sub Division, Barnala on behalf of the respondent- State has been filed, as per which six injuries were found on the person of Manpreet Singh (mentioned as Harpreet Sahota in the MLR), however, in computerised MLR dated 18.12.2022, eight injuries were reported out of which injuries No.1 to 7 were caused by blunt weapon.

There is no opinion regarding injury No.8. The only injury caused to injured Baljinder Singh was found to be caused by blunt weapon. Learned counsel for the petitioner has drawn attention towards the opinion given by the Medical Board, as per which there was nothing to suggest that injuries were dangerous to life and rather the same were grievous in nature. Although there is no opinion regarding injury No.8 but that injury as per MLR placed on record, is on the right hand middle finger. Learned counsel further contends that only injury attributed to the petitioner is with base ball on the head of Manpreet Singh which has been found to be caused by blunt weapon and not attracted Section 307 IPC.

Let the respondent- State file the opinion regarding injury No.8 caused to Manpreet Singh.

Adjourned to 21.07.2023.

To be heard along with CRM-M-11990 of 2023.

In the meantime, in case of his arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Today, on instructions from ASI Karamjit Singh, it is informed by learned State counsel that petitioner has since joined the

investigation and is no longer required for further interrogation.

In view of the above statement, order dated 17.05.2023, is hereby made absolute. However, petitioner shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

July 21, 2023
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No