

CRM-M-397-2024
Date of decision: 08.01.2024

Vikram Mehta @ Vikram SharmaPetitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ravi Malhotra, Advocate
for the petitioner.

Mr. Subhash Godara, Addl.A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in a case bearing FIR No.214 dated 09.12.2023 under Sections 323/341/308/506/34 of IPC (Section 307 of IPC added later on) registered at Police Station Salem Tabri, District Police Commissionerate Ludhiana.

Mr. Ashish Soi, Advocate puts in appearance on behalf of the complainant and files his *vakalatnama* in the Court today which is taken on record. Registry is directed to tag the same at an appropriate place in the file.

Learned counsel for the petitioner *inter alia* contends that there is an inordinate and unexplained delay in lodging of the FIR. The initial version as projected by the complainant was that the son of the complainant had suffered injuries in a road side accident, thereafter, he was taken to different hospitals and none of the Doctors has declared the injury as dangerous to

life, as such, the offence under Section 307 of IPC is not made out at all.

Learned counsel for the complainant has opposed the prayer made by the petitioner on the ground that the son of the complainant was in serious condition and he was referred to Dayanand Medical College Hospital, Ludhiana, where he was immediately operated upon and remained admitted in the hospital for 45 days, he is unable to speak and is still in coma.

The learned State counsel, on instructions from ASI Raj Kumar, submits that the condition of the son of the complainant has not improved and he is not able to speak due to the injury suffered by him. The petitioner has been found threatening another person, namely, Vishal, that he will also be killed like Gurpreet Singh @ Taka son of the complainant. The recorded conversation between the petitioner and Vishal has also been placed before the learned Additional Sessions Judge, Ludhiana at the time of the disposal of the anticipatory bail.

Having heard learned counsel for the parties and keeping in view the seriousness of the offence as well as the fact that the investigation is at nascent stage and custodial interrogation of the petitioner is necessary to unearth the truth, no ground for grant of anticipatory bail to the petitioner, is made out and thus, the present petition is hereby dismissed.

(HARPREET SINGH BRAR)
JUDGE

08.01.2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No