

**Major Singh Vs. Major Singh**

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**Court :** Punjab and Haryana

**Decided On :** Aug-27-2013

**Appellant :** Major Singh

**Respondent :** Major Singh

**Judgement :**

Crl.M.not M-28227 of 2013(O&M) -1- IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl.M.not M-28227 of 2013(O&M) Date of Decision: August 27, 2013 Major Singh .....Petitioner v.

State of Punjab .....Respondent CORAM: HON'BLE MR.JUSTICE RAM CHAND GUPTA Present: Ms.Rakhi Sharma, Advocate for the petitioner....RAM CHAND GUPTA, J.(Oral) The present petition filed under Section 438 Cr.P.C.is for grant of anticipatory bail to the petitioner in case FIR No.217, dated 24.7.2013, under Section 354 IPC, registered at Police Station Civil Lines, District Amritsar.

I have heard learned counsel for the petitioner and have gone through the whole record carefully, including the impugned order passed by learned Additional Sessions Judge, Amritsar, vide which application filed on behalf of the present petitioner for anticipatory bail was dismissed.

Brief allegations against petitioner-accused are that brother of complainant had sustained injuries while he was confined in Central Jail, Amritsar.

For getting treatment he was got admitted in a hospital, Chandigarh, and thereafter he was got treated in Guru Nanak Dev Hospital, Amritsar, for 5-6 days.

Complainant, who is sister of injured Sahib son of Jagtar Singh, used to take care of him.

She used to come in the hospital in the morning and used to return in the night.

However on the night intervening 23/24.7.2013 she had to stay alongwith her brother in the night to look after him.

Present petitioner-accused was deputed by jail authorities to supervise the brother of the complainant.

He was posted as Head Constable.

However, on that night he came in a drunken condition.

He was coming near to the complainant again and again and when she Meenu raised objection that he should sit far away as he was drunk, he gave her 2013.08.29 12:23 I attest to the accuracy and integrity of this document chandigarh Crl.M.not M-28227 of 2013(O&M) -2- slaps, fist blows and abused her, caught hold of her by her hair and threw her on the ground and insulted her.

When she raised alarm, hospital staff reached there and he ran away.

It has been contended by learned counsel for the petitioner- accused that complainant wanted to stay in the hospital in the night with her brother and when the same was objected by the petitioner, the present false report has been lodged by her against him and that in fact no such occurrence had taken place and there is no medical record that the alleged injuries were received by the complainant.

However, there are serious allegations against petitioner- accused.

He being on duty as Head Constable in the hospital came in a drunken condition and tried to molest the sister of the injured-accused.

Hence, in view of these facts, it is not such a case in which extraordinary relief of anticipatory bail should be granted to the petitioner-accused.

Without expressing any opinion on the merits of the case, the present petition filed by petitioner-Major Singh for grant of anticipatory bail is, hereby, dismissed being devoid of any merit.

27.8.2013 (Ram Chand Gupta) meenu Judge Meenu 2013.08.29 12:23 I attest to the accuracy and integrity of this document chandigarh

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