

**Dayal Ram Vs. State of Punjab and Others**

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**Court :** Punjab and Haryana

**Decided On :** Jan-27-2014

**Appellant :** Dayal Ram

**Respondent :** State of Punjab and Others

**Judgement :**

CRM No.M-31442 OF2013O&M) -1- IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH CRM No.M-31442 OF2013O&M) DECIDED ON : 27.01.2014 Dayal Ram ...Petitioner versus State of Punjab and others ...Respondents CORAM : HON'BLE Mr.JUSTICE K.C.PURI Present : Mr.Sarju Puri, Advocate, for the petitioner.

Mr.S.S.

Chandumajra, Senior DAG, Punjab.

Mr.S.P.

Soi, Advocate, for respondents No.2 to 10.K.C.

**PURI, J.**

(ORAL) This is a petition for cancellation of bail to the respondents No.2 to 10.

Learned counsel for the petitioner has submitted that respondents No.2 to 10 were not granted concession of interim bail on merits.

However, the police has not produced the medical record on three dates and on that account, interim bail was granted to them.

It is further submitted that thereafter the weapon of offence was recovered.

He has further submitted that Happy caused grievous injury falling within the ambit of Section 326 IPC, whereas Gurmail Ram gave datar blow on the back of Bhatia Shalini 2014.01.29 10:03 I attest to the accuracy and integrity of this document High Court Chandigarh CRM No.M-31442 OF2013O&M) -2- head of Mukhtiar Singh and Daljit gave head injury to Mukhtiar Singh and as such, they are not entitled to concession of bail.

Notice of the petition was given to learned State counsel, as well as contesting respondents/accused.

I have heard learned counsel for the parties and have gone through the records of the case.

So far as accused Happy is concerned, he has been attributed grievous injury falling within the ambit of Section 326 IPC.

The trial Court has not even considered this aspect while granting bail to him.

So, the order of trial Court qua him is the result of non-application of mind.

Consequently, the petition stands partly allowed and the anticipatory bail qua Happy accused stands dismissed.

He shall surrender before the trial Court within a week.

So far as the remaining accused are concerned, they have been attributed simple injuries.

The weapon of offence has already been recovered.

So, the petition for cancellation of bail qua them, stands dismissed.

JANUARY27 2014 (K.C.PURI) shalini JUDGE Bhatia Shalini 2014.01.29 10:03 I  
attest to the accuracy and integrity of this document High Court Chandigarh

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