

## Ranjit Singh Vs State of Punjab

**Court:** High Court Of Punjab And Haryana At Chandigarh

**Date of Decision:** Dec. 4, 2007

**Acts Referred:** Penal Code, 1860 (IPC) â€” Section 324, 326, 34

**Hon'ble Judges:** K.S. Garewal, J

**Bench:** Single Bench

**Advocate:** D.R. Singla, for the Appellant; K.D.S. Sidhu, D.A.G., Punjab, for the Respondent

**Final Decision:** Dismissed

### Judgement

K.S. Garewal, J.

Heard learned Counsel for the parties.

2. The Petitioner seeks pre-arrest bail for the offences under Sections 326, 324 and 34 IPC registered against him on the complaint made by

Jasbir Singh- complainant.

3. The Petitioner-Ranjit Singh was armed with "dahi" and as per the allegations in the FIR, he attacked the complainant Singh with "dasti dahi"

which he inflicted on the left eye brow and on cheek. As per the Medical Report of the injured-Jasbir Singh a slightly oblique incised wound of 27

X 52 cms B.D. starting from the left side of forehead just above the lateral margin of the left eyebrow going downwards through the left side of the

face and neck reaching upto the sternum was observed. Underlined Carotid Sheath, Trachea and other vital structures are exposed resulting in

disfigurement of the face and neck. Fresh bleeding was present. The injury on the person of Jasbir Singh is indeed grievous in nature.

4. Learned Counsel for the Petitioner has submitted that in fact a Panchayati Compromise has been entered into and there is no grudge between

the parties. Reference has been made to the compromise recorded on 18.09.2007 (Annexure P- 1). It may however be noticed that the injury that

has been caused on the person of Jasbir Singh is grievous in nature. In case the compromise has been entered into, it is for the Police to arrest or

not to arrest the accused. In M.C. Ahir and Anr. v. State of Maharashtra and Ors., 2003 (2) RCR(Cr) 452, it was observed by the

Supreme Court the (Police is not always bound to arrest an accused even if the allegation against him is that of having committed a cognizable

offence. Therefore, it is for the Police to arrest or not to arrest the accused. Keeping in view the seriousness of the grievous injury, no ground for

grant of pre-arrest bail is made out to the Petitioner.)

5. Consequently, criminal miscellaneous petition is dismissed.