IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-23653 of 2015 (O&M)

Date of decision : 27.07.2015

Mandeep Singh @ Sandeep Singh @ Sippa

..... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Amit Dhawan, Advocate for petitioner.

Ms. Rimplejeet Kaur, AAG, Punjab.

***

DARSHAN SINGH, J. (Oral)

The present petition has been filed by petitioner Mandeep Singh alias Sandeep Singh alias Sippa under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.79 dated 20.05.2015, under Sections 323, 324 and 326 of the Indian Penal Code, registered at Police Station Mehatpur, Distt. Jalandhar.

2. Learned counsel for the petitioner pleads that grievous injury attributed to the petitioner is on the non-vital part of the body. The injured has been discharged from the hospital much before. The investigation is already completed and the challan has been presented in the Court. The decision of the case will take time. The petitioner is in custody for the last two months and seven days. He contends that the trial Court has declined the concession of bail on the ground that some other case was pending against the petitioner, which is not valid ground to

SUNIL YADAV
2015.07.28 10:59
I attest to the accuracy and
authenticity of this document
Chandigarh

decline the bail.

3. Learned State counsel has not disputed the aforesaid factual position, as argued by learned counsel for the petitioner. She has simply pleaded that this is the second case of the petitioner of the same nature, so he does not deserve the concession of bail.

4. I have duly considered the aforesaid contentions.

5. The grievous injury attributed to the petitioner is on the left wrist of the complainant, so that is not on the vital part of the body of the complainant. It is also not disputed that the complainant has been discharged from the hospital much earlier. The investigation of the case is also completed and the report under Section 173 Cr.P.C. has been presented in the Court. The decision of the case will take time. The case is triable by the Judicial Magistrate First Class. There is no apprehension that the petitioner will tamper with the prosecution evidence or will flee away from the trial. He is in custody for the last two months and seven days. His further detention will not serve any purpose.

6. It is also settled principle of law that pendency of another case will not be a ground to decline the bail. Reliance in this regard can be placed upon case **Maulana Mohd. Amit Rashadi Vs. State of U.P.and another 2012(1) RCR (Criminal) 586.**

7. Thus, keeping in view my aforesaid discussion and without further mentioning anything on the merits of the case, the present petition is hereby allowed and petitioner Mandeep Singh alias Sandeep alias Sippa is ordered to be released on bail on furnishing personal/ surety

SUNIL YADAV
2015.07.28 10:59
I attest to the accuracy and
authenticity of this document
Chandigarh

bonds to the satisfaction of learned trial Court.

27.07.2015 **(DARSHAN SINGH)**
sunil yadav **JUDGE**

SUNIL YADAV
2015.07.28 10:59
I attest to the accuracy and
authenticity of this document
Chandigarh