

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM No. M-12375 of 2016
DECIDED ON: AUGUST 01, 2016**

MANOHAR SINGH

... PETITIONER

VERSUS

STATE OF PUNJAB

... RESPONDENT

CORAM:HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Suveer Sheokand, Advocate
for the petitioner.

Mr. J.S. Sekhon, AAG, Punjab.

JASPAL SINGH.J

Instant petition has been preferred under Section 439 Cr.P.C. by Manohar Singh seeking regular bail in case FIR No. 73 dated September 07, 2014 under Sections 307, 342, 323, 506 and 34 IPC registered at Police Station Ludhiana.

2. The contention of learned counsel for the petitioner is that the allegations levelled in the above-mentioned FIR are wrong and concocted one. Moreover, from the allegations, no offence under Section 307 IPC is made out. Injuries appearing on the person of complainant are simple in nature and none of the injuries has been declared to be dangerous to life. An offence under Section 307 IPC has been added only to aggravate the gravity of offence as well as make it a non-bailable one. He further submits that though four injuries were allegedly sustained by the complainant but

none of these has been attributed to the present petitioner.

3. Moreover, petitioner has a definite abode. As such, there is no apprehension of his either absconding or tampering with the prosecution evidence in any manner, in case, he is granted the concession of bail. Otherwise also, petitioner is suffering incarceration from the date of his arrest i.e. March 09, 2016.

4. On the other hand, learned State counsel has opposed the instant petition by submitting that the petitioner had actively participated in the occurrence and the allegations against him are serious in nature. Thus, in view of serious nature of offence, petitioner does not deserve the concession of bail.

5. This Court has given an anxious thought to the rival submissions made by learned counsel for the parties and has scrutinized the record available on file.

6. As per the contents of FIR, on September 06, 2014 at about 12.30 PM, complainant-Jaspreet Singh was going from his house towards post office. When he reached near the shop of Manohar Lal, he spotted Manohar Lal, Jasbir Singh, Balvir Kaur present over there. They took him to the vacant shop by putting rope around his neck. Thereafter, his hands and legs were tied with a rope and was given beatings. Petitioner inflicted injuries on his forehead whereas Jasbir Singh caused injuries hitting on his right flank. It has further been alleged that petitioner tried to strangle him by pulling the rope tied around his neck with an intention to kill him. Thus, keeping in view the afore-said facts and circumstances, gravity of offence complained of and specific allegations, this Court does not find

any merit in the instant petition. As such, the same is dismissed.

7. However, any observation made in this order shall have no bearing on the merits of the main case.

AUGUST 01, 2016
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(JASPAL SINGH)
JUDGE

Whether	Speaking/Reasoned	Yes/No
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Whether	Reportable	Yes/No
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