

CRM-M-23367-2016

Date of Decision : 26.07.2016

Amanpreet Singh @ Banti

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. N.S. Dadwal, Advocate
for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

Ms. Jigyasa Tanwar, Advocate
for the complainant.**M.M.S. BEDI, JUDGE (ORAL)**

Petitioner seeks concession of pre-arrest bail in a case registered at the instance of Sandeep Sharma alleged that on 08.05.2016, he was assaulted by hired persons who entered in his house, armed with Daah, Kirpans and Baseball Bats and inflicted injuries and snatched cash and gold articles besides mobile phones.

So far as the petitioner is concerned, he is not named in the FIR. No specific injury is attributed to the petitioner .

Learned counsel for the complainant has intervened to oppose the application for bail contending that there are six grievous injuries on the person of the complainant and that the petitioner was a member of unlawful assembly who has brutally attacked the complainant. She relies upon the CCTV footage regarding the incident.

With the assistance of learned counsel for the petitioner,

learned State counsel and counsel for the complainant, I have gone through the police file. The petitioner was not originally named in the FIR dated 08.05.2016. The supplementary statement of the complainant was recorded after he came to learn that petitioner along with Harshveer Singh, was a member of unlawful assembly, armed with baseball bat and that both of them stood outside to guard the incident.

In view of the fact that petitioner has not been attributed specific injury, and even as per the supplementary statement of the complainant he remained outside the house, petitioner can be granted the concession of bail as he has been in custody with effect from 24.05.2016.

Without expression of any opinion on merits, petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the area Magistrate/CJM concerned subject to the condition that petitioner will not in any manner indulge in similar activity during the pendency of the trial and will not, directly or indirectly, make any attempt to threaten the prosecution witnesses. In case of violation of any of the conditions, it will be open to the complainant to approach this Court for cancellation of bail.

This order is not intended to be read as precedent for the co-accused of the petitioner for grant of bail.

(M.M.S. BEDI)
JUDGE

26.07.2016
Neha

Whether Speaking/Reasoned: Yes/No

Whether Reportable: Yes/No