

CRM No. M-33707 of 2016

DECIDED ON: OCTOBER 03, 2016

MANPREET SINGH @ MITEE @ MANDEEP SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Mr. RPS Sidhu, AAG, Punjab.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Section 438 Cr.P.C., petitioner has sought pre-arrest bail in case FIR No. 244 dated 17.07. 2016 under Sections 307, 323, 341, 148 and 149 IPC registered at Police Station City Barnala District Barnala.

Allegations against the present petitioner is that he while armed with an 'iron rod' dealt its blow on the posterior region of the head of Harcharan Singh-complainant. On CT scan examination, the injury attributed to the petitioner has been found to be simple in nature as no fracture was seen/detected. Moreover, petitioner undertakes to join the investigation as well as to abide by all the terms and conditions imposed by this Court in case he is granted the concession of pre-arrest bail.

On the other hand, learned State counsel has opposed the bail submitting that petitioner has selected head while causing injury to Harcharan

Singh, which depicts his intention to cause serious/grievous injury. Moreover, an iron rod used during the course of occurrence by the petitioner is still to be recovered.

This court has given a deep thought to the submissions made by learned counsel for the parties and have gone through the record available on file.

Undeniably, an injury which has been attributed to the petitioner falls within an ambit of simple injury, though having been caused on the posterior region of the head of complainant.

Keeping in view the nature of injury attributed to the petitioner, this Court is of the considered view that it would not desirable to send the petitioner behind the bars for an indefinite period.

Accordingly, instant petition is disposed of with a direction to petitioner to join the investigation on 08.10.2016 at 11.00 AM. In the event of arrest, petitioner shall be released on pre-arrest bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the conditions, as envisaged under section 438(2) Cr.P.C. Petitioner is also directed to co-operate with the investigating agency as far as the recovery of iron rod is concerned.

OCTOBER 03, 2016
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(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned *Yes/No*

Whether Reportable *Yes/No*