

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

**CRM-M-414 of 2017 (O&M)
Date of Decision: January 30, 2017**

Manpreet Singh @ Mani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Vivek K. Thakur, Advocate
for the petitioner.

Mr. Gurinderjeet Singh, DAG, Punjab.

Mr. Ritesh Pandey, Advocate
for the complainant.

FATEH DEEP SINGH, J.

The allegations against the petitioner Manpreet Singh @ Mani in this anticipatory bail application under Section 438 Cr.P.C are that on 24.10.2016 the accused Balwinder Singh had a tussle with Balbir Singh son of Jagtar Singh and his brother Harvant Singh over commission regarding sale of plot amounting to Rs.5000/- and which led to heated arguments. At that very juncture, Jagtar Singh father of the complainant (now deceased) came to pacify the situation when accused Sunny, Ravi, Rano, Deepa, Davinder Singh and Raja and the present petitioner Manpreet Singh @ Mani came and started abusing at which Jagtar Singh stood in front of Balbir Singh and tried to appease the accused side and at that juncture accused Raja caught hold of Jagtar Singh from hairs and Balwinder Singh raised a *lalkara* exhorting his co-accused and, thereafter, dragged the

deceased out of the premises and gave fist blow and kick blow and during which scuffle Balwinder Singh again raised a *lalkara* including accused Rano exhorting his co-accused to teach a lesson to Jagtar Singh and all the accused assaulted the deceased leading to his death.

The contentions of learned counsel for the petitioner that the petitioner is a juvenile, aged around 17 years and that the entire family has been roped in and has sought to harbour on the plea that no role is assigned to the petitioner and there has been false implication of the petitioner side.

The bail application is stoutly opposed by the learned State counsel claiming that the petitioner is named in the FIR and has been assigned a definite role in the commission of offence and if allowed bail will influence the witnesses and that heinousness of the offence does not entitle the petitioner to any relief.

The bare perusal of the FIR sufficiently reflects specific role of having formed an unlawful assembly, thereby, attacking the deceased side and the apprehension of the State that if allowed bail the petitioner would influence the witnesses certainly is not unfounded and keeping in view the seriousness of the allegations and heinousness of the offence the present application stands dismissed.

(FATEH DEEP SINGH)
JUDGE

January 30, 2017
aarti

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No