

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

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**CRM-M No.7432 of 2017
Date of Decision: 26.5.2017**

MANDEEP SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. K.S.Sidhu, Advocate,
for the petitioner.

Mr.Shilesh Gupta, Addl.A.G.Punjab.

RAJ MOHAN SINGH, J.(oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.165 dated 16.8.2016 registered under Sections 302, 506, 336, 148, 149, 120-B IPC and Section 25 of the Arms Act at Police Station Maur, District Bathinda.

FIR was registered on the statement of Paramjit Singh, who alleged that on 15.8.2016 at about 8.30 P.M., when he was coming back from his fields then he saw Dharaminder

Singh, Gagandeep Singh, Mandeep Singh, Charanjit Singh, armed with axes and Kala Singh, armed with gandasa, who were causing injuries on the head of his elder son Sukhdeep Singh with their respective weapons. Complainant along with his another son Mandeep Singh raised alarm and thereafter, Baggi Singh fired three shots in air with his country made pistol and threatened to kill them.

Learned counsel for the petitioner has submitted that only one injury was found on the head of deceased Sukhdeep Singh and the same was incised wound over the left parietal lobe of skull of size 5 cm x 0.5 cm starting 2.5 cm anterior to parieto occipital suture going anterior towards midline. On dissection underlying skull fracture with presence of blood clots over the skull with damage to underlying brain parenchyma was found. Other three injuries were on different parts of body, which were bruise and lacerated wounds. Learned counsel further submitted that though in the FIR Dharaminder Singh was shown armed with axe, but no recovery of axe was made from him. Gagandeep Singh was shown armed with axe, but a pistol was allegedly recovered from him. Charanjit Singh was shown armed with axe and the same was recovered from him. Kala Singh was shown armed with gandasa, but during investigation,

axe was allegedly recovered from him. Baggi Singh, who allegedly fired three shots in air, was declared to be innocent.

Learned counsel for the petitioner has pointed out that the petitioner is HIV positive patient and is undergoing treatment in Civil Hospital, Bathinda. Petitioner is in custody since 25.8.2016.

Learned State counsel, on instructions from ASI Darshan Singh, has admitted the aforesaid recoveries, as per investigation conducted by the police. Charges have been framed and the case is fixed for prosecution evidence.

Without embarking upon merits of the case at this stage, I deem it appropriate to enlarge the petitioner on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/ Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

May 26, 2017

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Whether reasoned/Speaking

Whether reportable

(RAJ MOHAN SINGH)

JUDGE

Yes/No

Yes/No