

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

**Criminal Misc. No. M-34166 of 2018
Date of decision: 12.11.2018**

Manjit Singh @ Maan Singh

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. N.S. Shekhawat, Advocate and
Mr. Rajiv Sidhu, Advocate
for the petitioner.

Mr. D.K. Mittal, DAG, Haryana
for the respondent -State.

Mr. Kuldeep Tiwari, Advocate
for the complainant.

Daya Chaudhary, J.

Petitioner, namely, Manjit Singh @ Maan Singh, has approached this Court by way of filing the present petition under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.217 dated 20.05.2015 registered under Sections 148, 149, 323, 307, 506, 467, 468, 471, 201 read with Section 120-B IPC and Sections 25/27 of the Arms Act at Police Station Pehowa, District Kurukshetra during pendency of the trial.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case as it is a case of version and cross-version. As per allegations levelled in the FIR against the petitioner, he fired from a pistol and the pellets hit on the left leg of the complainant/injured, namely, Gurjant Singh. The opinion of the Doctor from LNJP Hospital,

.....

Kurukshetra was sought by the Police to ascertain as to whether the injuries suffered by injured-Gurjant Singh were dangerous to life or not. As per opinion given by the Doctors, the injuries on the person of Gurjant Singh were not dangerous to life. It was also opined that possibility of injuries caused by friendly hands could not be ruled out. The Medical Board opined that the injuries suffered by Anokh Singh, brother of the petitioner, were dangerous to life but the injuries suffered by Gurjant Singh were not dangerous to life. Learned counsel further submits that initially the FIR was lodged by the petitioner himself and thereafter, cross-version was registered by the opposite party just to falsely implicate the petitioner. Challan was presented against six persons on the side of present complainant. Learned counsel also submits that the injuries have been manipulated and the petitioner was got arrested on 08.02.2017 i.e. after a period of more than one year and six months due to political influence. Learned counsel also submits that the complainant side was more aggressive and in the cross-version, the petitioner has suffered serious pellet injuries. As per allegations levelled in the FIR, the petitioner fired from the pistol and pellets hit on the left leg of complainant-Gurjant Singh. The injuries on the both legs were also attributed to the elder son of Lakhwinder Singh. During course of investigation, no recovery was effected from the petitioner and alleged recovery of .315 bore revolver from the petitioner by the Police has falsely been planted. Lakhwinder Singh, who is accused in FIR case, has been released on regular bail. No purpose would be served by keeping the petitioner in custody. The petitioner is an old person and has been

.....

repeatedly referred to PGIMS, Chandigarh for treatment of different ailments. The petitioner is a senior citizen and is ready to abide by all terms and conditions to be imposed by this Court or by the trial Court.

Learned State counsel has not disputed the custody period as well as factum of version and cross-version and also presentation of challan.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the allegations levelled in the cross-version and other documents available on the file.

Admittedly, it is a case of version and cross-version and the petitioner himself is injured. Lakhwinder Singh, who is accused in FIR case, has been released on regular bail. The petitioner is in custody since 08.02.2017. The trial may take long time to conclude as only challan has been presented. No purpose would be served by keeping the petitioner in custody.

Accordingly, the present petition is allowed and the petitioner (Manjit Singh @ Maan Singh) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

12.11.2018
neetu

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No