

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

Criminal Misc. No.M- 45071 of 2017(O&M)

Date of Decision: April 2 , 2018.

Manpreet Singh @ Preet

..... PETITIONER (s)

Versus

State of Punjab

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Ranjit Singh Sidhu, Advocate
for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No.42 dated 11.05.2017 under Sections 323/307/376/511 IPC, registered at Police Station Mullanpur, District SAS Nagar.

It is contended that the petitioner has been falsely implicated in this case. The medical evidence on record does not corroborate the version given by the complainant. As per the medico-legal report (Annexure P2), the injuries received by the complainant/prosecutrix are simple in nature. It is thus contended

that the false implication of the petitioner is apparent as in case Datar blow had indeed been given as alleged, it would not result in mere superficial injuries. It is further submitted that the prosecutrix and the doctor in this case have since testified before the learned trial court. Learned counsel for the petitioner vehemently argues that the testimony of the prosecutrix (PW1) is riddled with discrepancies. PW3 Dr. Priyank Partap Singh, who had examined the prosecutrix, has clearly opined that the injuries in question are simple in nature and are superficial. It is submitted that the material witnesses in this case have since been examined. The petitioner, who is not involved in any other criminal case, undertakes not to misuse the concession of bail, if afforded to him. It is thus prayed that this petition be allowed.

Photocopies of the statements of the complainant/prosecutrix (PW1) and PW3 Dr. Priyank Partap Singh, furnished in Court today, are taken on record subject to just exceptions.

Learned counsel for the State, on instructions from ASI Avtar Singh, verifies that the complainant as well as the doctor in this case have been examined before the learned trial court. The petitioner is not involved in any other criminal case.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the Court, if released on bail.

Keeping in view the facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, this petition is

allowed. The petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

It is made clear that the petitioner shall not directly or indirectly try to contact the complainant-prosecutrix/any of her family members or witnesses in this case. Any such infraction on the part of the petitioner may entail cancellation of his bail.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

April 2 , 2018.
'om'

(LISA GILL)
JUDGE

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