

**202-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

CRM-M No.46030 of 2017
Date of Decision: 10.01.2018

Manpreet Singh

-Petitioner

Vs

The State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Ms. Rivayat Hayer, Advocate,
for the petitioner.

Mr. Hittan Nehra, Additional A.G., Punjab.

RAJ MOHAN SINGH, J. (ORAL)

On 04.12.2017, following order was passed by a Co-ordinate Bench of this Court:-

“Prayer in the instant petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail in case FIR No. 94 dated 13.09.2017 registered under Sections 452, 323, 324, 325, 148 and 149 IPC at Police Station Mehna, District Moga.

According to the prosecution, on 12.09.2017 at about 6.00 P.M., an altercation took place between one Amanpreet Singh and Jugnu on account of change of song in a function at the house of Harpal Singh. Thereafter, after about half an hour, co-accused Lovejeet Singh and Jugnu along with

4-5 unknown persons, carrying swords, baseball bats and rods again came to the venue and caused injuries to Amanpreet Singh, complainant-Baltej Singh and Jagtar Singh @ Taar.

Learned counsel inter alia contends that no role has been attributed to the petitioner. Nothing has to be recovered from him. Co-accused of the petitioner, namely; Jagmeet Singh, has already been granted the concession of anticipatory bail by this Court vide order dated 09.10.2017 (Annexure P-3), passed in CRM-M-37813-2017. Thus, treating the case of petitioner on the same parity, he may also be granted the concession of anticipatory bail.

Notice of motion for 10.01.2018.

Considering the overall facts and circumstances, but without investigation as and when called by the Investigating Officer. In the event of arrest, he shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. He shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

As per the allegations, the occurrence took place in the evening when there was an altercation between Amanpreet Singh and Jugnu on the issue of change of song on DJ in a party. Jugnu slapped Amanpreet Singh and both of them started

fighting. They were separated by the relatives. Thereafter, Lovejeet Singh @ Lovely left the programme after giving threats that he will come again along with others. After some time, Jugnu again came along with some unidentified persons duly armed with swords, baseball bats and rods and caused injuries to the complainant party as narrated in the FIR.

Learned State counsel on instructions from ASI Raj Dheer submits that though the petitioner has joined the investigation, but recovery of baseball bats is still to be effected.

Keeping in view the nature of allegations made in the FIR, I deem it appropriate to confirm the interim bail granted by this Court on 04.12.2017. However, the petitioner shall keep on joining the investigation as and when required to do so by the Investigating Officer.

10.01.2018
jyoti

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No