

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24350-2019
Date of decision-31.05.2019

Maninder Singh @ Soorti

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ravi Malhotra, Advocate for the petitioner.
Mr. Harsimar Singh Sitta, AAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Maninder Singh @ Soorti has prayed for grant of regular bail in case FIR No.226 dated 29.09.2018 under Sections 452, 307, 323, 324, 427 and 506 read with Section 34 of Indian Penal Code registered at Police Station Kapurthala, District Kapurthala.

The FIR was registered on the basis of statement of complainant-Navraj Singh s/o Bakhshish Singh, Caste Kamboj, resident of Kanjli, P.S. Kotwali, Kapurthala to the effect that he is resident of aforesaid address and is doing the cultivation. That on 28.9.2018 at about 7.00 p.m. when he alongwith his family was present in his house, somebody repeatedly rang the door bell of his house and that in response, he asked the person standing on the gate informing him that he is coming but the person standing out kept on ringing the door bell. The complainant further stated that when he alongwith his younger son Ajayraj Singh, aged about 05 years, reached near the gate and he opened the small gate affixed in the main gate and there he saw that 04 persons were standing outside the gate holding

sharp edged Kirpans (swords) in their hands and immediately on his having opened the gate, they pushed the gate of his house and forcibly entered into the house alongwith their weapons. The complainant further stated that due to push given to the gate by the aforesaid persons, he alongwith his son fell down inside his house but he immediately stood up and picked up his son and rushed to the varandah in his house. The complainant further stated that out of them, three persons entered into his house, one was Vasudev Dass @ Vijay Joshi s/o Gopal Dass, who was holding a kirpan in his hand and that with intention to kill him, he gave him a kirpan blow upon his head but he immediately raised his right hand above and stopped the blow and as a result, the kirpan blow given by Vasudev Dass hit him on the palm of his right hand near the thumb. The complainant further alleged that he confined his son inside the room and that Vasudev Dass and two other unknown persons who had entered into his house alongwith him i.e. Vasudev Dass kept on causing him kirpan blows hitting him on the back of his left lower leg while he was lying fallen down and the other unknown person also caused him continuous kirpan blows hitting on his neck, left thigh, left leg and on the nail of thumb of his left hand raised by him to avoid his blows and that when he tried to run to the room after getting up, Vasudev Dass again gave him a kirpan blow hitting him on the back of his room and that blood started oozing out from his injuries and he raised raula of 'Mar Ditta Mar Ditta', which attracted his mother, father, his wife, present in the rooms and Haveli and his cousin Sikander Singh s/o Narinder Singh living in his neighbourhood and thereafter the accused persons ran away from the spot

alongwith their respective weapons. Even the cousin of complainant, namely, Sikander Singh and his friend Prithvipal Singh chased the accused persons in a car but they could not be nabbed. In this background the present FIR was registered against the accused persons.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and no specific role has been attributed to him. The petitioner has been falsely implicated in the present case on the disclosure statement. Further he placed reliance upon the order dated 10.05.2019 (Annexure P-3) whereby the co-accused has been granted the concession of regular bail by this Court.

On the other hand, learned State counsel, opposed the prayer for grant of bail on the ground that serious injuries have been caused to the complainant.

Considering the above background of the case and the fact that trial will take considerable time, this Court is of the opinion that further detention of the petitioner is not justified. Therefore, without meaning any expression of opinion on the merits of the case petition is allowed and it is ordered that petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Kapurthala.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

31.05.2019

vanita

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No