

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

**CRM-M-27902-2019
Date of decision: 09.07.2019**

Amandeep Singh @ Rinku

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mohd. Yousaf, Advocate
for the petitioner.

Mr. Jagmohan Ghuman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 136 dated 19.12.2018, registered under Sections 307, 323, 325, 506, 148, 149 and 120B of the IPC at Police Station Sherpur, District Sangrur.

Learned counsel for the petitioner submits that as per the allegations in the FIR, the father of the complainant along with one Bhola Singh were coming on a motorcycle and one person namely Darshan Singh was also following them on his motorcycle. In the meantime, a Maruti car came from the other side and three unidentified persons along with one another car, in which Manvir Singh and Baljit Kaur were sitting, came there. Thereafter, the driver of the Maruti car hit the motorcycle of the complainant's father with intention to kill him and he fell down. Thereafter, aforesaid unidentified persons started giving beatings to the complainant's father and when Darshan Singh tried to save him, he was also given

beatings. It is further stated in the FIR that the motive for causing injuries is that the mother of the complainant has filed nomination to contest election for the post of Sarpanch, whereas aforesaid Baljit Kaur has also filed nomination for the same post. It is further stated that a week prior to the incident, the petitioner had threatened the father of the complainant that since petitioner's mother is contesting the election for the post of Sarpanch, if complainant's side files nomination, they will face the serious consequences.

Learned counsel for the petitioner further submits that the petitioner is in judicial custody since 18.03.2019 and he was not specifically named in the FIR but one of the co-accused who caused injuries to the father of the complainant is Darshan Singh.

Learned counsel for the petitioner further submits that one of the co-accused namely Manvir Singh, who has been attributed injuries, has already been granted concession of anticipatory bail by the Additional Sessions Judge on 08.01.2019 and challan already stands presented and the petitioner is no more required for any further custodial investigation.

Learned State counsel, on the basis of the custody certificate filed today in Court, has not disputed the factual position, however, submitted that the petitioner is involved in some other FIR, in which, he is on bail.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the challan already stands presented; the petitioner was not attributed any injury as per the version given in the FIR; he was not present at the spot and only allegation against him is of making conspiracy, the

instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

09.07.2019
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>