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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49911-2019

Date of decision-02.12.2019

Manpreet Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. KBS Mann, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. Naveen Sharma, Advocate for the complainant.

MANOJ BAJAJ, J.

Petitioner-Manpreet Singh has prayed for grant of pre-arrest bail under Section 438 Cr.P.C in case FIR No.145 dated 03.10.2019 registered under Sections 307 and 323 read with Section 34 of Indian Penal Code, 1860 at Police Station Nahianwala, District Bathinda.

The FIR was registered on the statement of Beant Singh wherein it was alleged that on 05.09.2019, complainant's father received a call from Jagtar Singh (cousin of complainant) that Jaswant Singh and others have confined him. Then complainant and his father-Billu Singh went towards Phirni village, where Jaswant Singh, Manpreet Singh (petitioner) were present along with other accused. Upon seeing them, Jaswant Singh gave iron rod blow on the head of the complainant whereas Manpreet Singh

and Achhar Singh caused injuries to complainant's father. On raising alarm, all assailants ran away from the spot.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He submits that the occurrence took place on 05.09.2019 whereas the FIR was registered on 03.10.2019. He further submits that the alleged injury which is caused to the father of the complainant is simple in nature and does not attract the offence punishable under Section 307 IPC.

On the other hand, learned counsel for the complainant and learned State counsel assisted by HC Gumdoor opposed the prayer on the ground that the petitioner was specifically named in the FIR. Therefore, petitioner does not deserve the concession of pre-arrest bail.

After hearing learned counsel for the parties, this Court finds that the petitioner was member of the unlawful assembly and the injuries were caused to the complainant and his father. Moreover, he has been specifically named in the FIR.

In view of the above, this Court does not find any reason to extend the extra ordinary concession of pre-arrest bail to the petitioner.

Petition is dismissed.

(MANOJ BAJAJ)
JUDGE

02.12.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No