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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1324-2020

Date of decision-31.01.2020

Manvir Singh and another

....Petitioners

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ravi Malhotra, Advocate for the petitioners.

Mr. Prabhjot Singh Walia, AAG, Punjab.

MANOJ BAJAJ, J.

Petitioners have prayed for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.0011 dated 25.01.2019 under Sections 307, 323, 324, 326 and 341 read with Section 34 of Indian Penal Code, 1860 registered at Police Station Bullowal, District Hoshiarpur. They apprehended their arrest at the hands of Police in the above FIR.

The FIR was registered on the statement of complainant, namely, Gurpartap Singh wherein it was alleged that on 23.01.2019, when complainant was returning home, he was waylaid by three persons who were riding on one motorcycle. One person, Suraj Kumar @ Rana was armed with gandas. Two other boys were with muffled faces and were armed with datar and iron rod. After raising lalkara, Suraj Kumar gave gandas blow on the complainant's head and other two persons gave injuries with datar and iron rod, on the legs of the complainant. On raising noise, all assailants fled

away from the spot on motorcycle. On these broad allegations, FIR was registered.

Learned counsel for the petitioners contends that the petitioners have been falsely implicated in the present case. He submits that the petitioners were not named in the FIR and they were indicted in the present case on the disclosure statement of co-accused Suraj Kumar. It is further pointed out that total five injuries were suffered by the victim out of which three injuries have been attributed to co-accused Suraj. The remaining two injuries allegedly suffered by the victim are simple in nature.

On the other hand, learned State counsel has opposed the prayer, however, it is not disputed by him that the injuries attributed to the petitioners are simple in nature.

Considering the above background, it is ordered that in the event of arrest of the petitioners by the Arresting Officer, they shall be released on bail subject to their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. They shall join investigation as and when called for by the Investigating Officer and would abide by the conditions enshrined under Section 438(2) Cr.P.C. The above order shall not be construed as an opinion on the merits of the case.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

31.01.2020

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