

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213

CRM-M-4564-2020
Date of decision: 03.03.2020

Manvir Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Sarju Puri, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, D.A.G., Punjab
for the respondent.

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed the present (first) petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.51 dated 10.07.2019 under Sections 323, 324 and 307 read with Section 34 of the Indian Penal Code, 1860 registered at Police Station City Banga, District SBS Nagar.

The above said FIR was registered on statement of complainant Joga Singh, who alleged that he drives taxi and his son drives school bus. On 09.07.2019 at about 06:00 A.M., he was going on scooter driven by his neighbourer Gagandeep Singh to his field while his son Harpreet Singh was going on motorcycle to pick up the school children. When they reached in front of Sagar Gate, they saw accused-Sukhwinder Singh armed with iron *Takua* and **Manvir Singh (petitioner)** armed with *Kirpan*, standing near the well of the Sagar Gate. Accused-Sukhwinder Singh exhorted to kill them and accused-Manvir Singh inflicted *Kirpan* blow which fell on his left arm.

Accused-Manvir Singh also inflicted *Kirpan* blows on his head and stomach. When Harpreet Singh arrived on the spot, accused-Manvir Singh with intent to kill him inflicted blow with *Kirpan* in the back of his neck. Accused-Sukhwinder Singh inflicted *Takua* blows on left thigh, left arm and back of Harpreet Singh. Accused-Manvir Singh and Sukhwinder Singh also caught hold of him and Harpreet Singh and threw them on the ground and caused further injuries. When he raised alarm, Puneet Sudan came and Puneet Sudan and Gagandeep Singh rescued them.

The petitioner, being in custody since 10.07.2019, has filed the present petition for grant of regular bail.

Learned State counsel has appeared and opposed the bail application in terms of reply filed by way of affidavit of Navneet Singh Mahal, P.P.S., Deputy Superintendent of Police, Sub Division Banga, District Shaheed Bhagat Singh Nagar.

I have heard learned counsel for the petitioner and learned State counsel and gone through the record.

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. The injuries allegedly caused by the petitioner to complainant Joga Singh and his son Harpreet Singh were declared to be simple. There is no X-ray report or medical opinion to show that any of the injuries was grievous or to be dangerous to life. The trial is likely to take long time. Co-accused-Sukhwinder Singh has already been granted regular bail by learned Sessions Judge, S.B.S. Nagar. Therefore, the petitioner may be granted regular bail.

On the other hand, learned State counsel has argued that the petitioner committed serious offences and in view of the gravity thereof, the petitioner does not deserve the grant of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation against the petitioner, the fact that there is no X-ray report or medical opinion to show any of the injuries caused by the petitioner to be grievous or dangerous to life, period of his custody, likelihood of the trial taking long time and parity with his co-accused Sukhwinder Singh who has been granted regular bail by learned Sessions Judge, S.B.S. Nagar, but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of bail bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

03.03.2020

Vinay

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No