

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 13667 of 2020 (O&M)
Date of Decision: 28.8.2020

Manpreet Singh @ Ruby @ Mani

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. K.S.Dadwal, Advocate
for the petitioner.

Mr. S.S.Deol, DAG, Punjab.

Mr. P.S.Gill, Advocate
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is being taken up for hearing through video conferencing.

CRM-11933-2020

This is an application under Section 482 Cr.P.C. for exemption from filing the original power of attorney/vakalatnama.

The application is allowed as prayed for.

CRM-M-13667-2020

The petitioner seeks regular bail in FIR No. 0052 dated 17.4.2020 under Sections 307, 326, 325, 324, 341, 148, 149, 120-B IPC registered at Police Station Sadar Hoshiarpur, District Hoshiarpur.

Learned counsel for the petitioner submits that in the present case, the occurrence took place on 12.4.2020, whereas the present FIR was got registered on 17.4.2020 and there is an unexplained delay of five days in

lodging the present FIR. Learned counsel further submits that the injury attributed to the petitioner is on the left knee of the complainant with *datar* which falls under the ambit of Section 326 IPC. He further submits that there are two injuries on the left knee of the complainant which have been attributed to the petitioner and co-accused Sadiq and the specific injury attributed to the petitioner is yet to be ascertained. Learned counsel also submits that the petitioner has been in custody since 17.4.2020 and challan has been presented.

Learned State counsel as well as learned counsel for the complainant have submitted that though the injury attributed to the petitioner falls within the ambit of Section 326 IPC yet as per the MLR, patella of the knee of the complainant was cut and he is not able to walk.

In the present case, the allegations against the petitioner are that he along with other co-accused attacked the complainant with the deadly weapons. It is not disputed that the injury attributed to the petitioner falls within the ambit of Section 326 IPC. The petitioner has been in custody since 17.4.2020 and challan has been presented. The trial will take time to conclude. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

August 28, 2020
Gurpreet

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