

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

CRM M-13718 of 2020 (O&M)

Date of Decision: June 02, 2020

Manjit Singh @ Pititi

.....Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Jasdeep Singh, Advocate
for the petitioner.

Mr. Sandeep Vermani, Addl.AG, Punjab.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Mr. Sandeep Vermani, Addl. AG, Punjab, puts in appearance on behalf of the State on his own.

Petitioner Manjit Singh @ Pitti is accused in case bearing FIR No. 82 dated 28.04.2020 under Sections 324, 323, 341, 506, 379, 148 and 149 IPC, Police Station Sadar Bathinda, District Bathinda has come up in this first anticipatory bail

application under Section 438 Cr.P.C.

The present case has been got registered on the statement of one Manjit Singh. It is alleged that the complainant side had purchased 1-1/2 Killas of land from one Sandeep Kumar, in which, he had sown wheat crop and that on the day of occurrence, i.e. 28.04.2020, when the complainant went to harvest his crop, the accused Manjit Singh @ Pitti, Avtar Singh, Charanjit @ Raja alongwith other co-accused came on a tractor trolley and started harvesting the crop sown therein leading to a scuffle.

It is alleged that Avtar Singh Singh, who was armed with a Gandasa gave a blow to the complainant hitting on right arm elbow. The present petitioner is attributed a stick blow on the back of the complainant. All these injuries have been opined to be simple in nature.

Mr. Jasdeep Singh, learned counsel for the petitioner, *inter alia*, contends it was purely a land dispute between co-sharers as the accused/petitioner having been in cultivating possession of his share of the land with Sandeep Kumar who had sold his share to the wife of the complainant and, thus, being co-sharers, it was a pure civil dispute, which has been given a twist of criminality.

Mr. Sandeep Vermani, Addl.AG, Punjab, learned State counsel with all fairness does not displace the facts

brought to the notice of this Court but has opposed the grant of bail on the ground that accused/petitioner has used criminal force to deter the co-sharer for harvesting the crop.

Going through the submission, the petitioner is attributed a simple injury and that too by means of soti. Even injuries attributed to the co-accused are simple in nature on non-vital parts. Therefore, this Court is of the opinion that it would be a travesty of justice to send the petitioner in custody in the present case and his joining the investigations would suffice the purpose. Accordingly, the petitioner is directed to appear before the investigating officer within a period of 15 days from the date of receipt of certified copy of this order and on his doing so, he shall be released on bail to the satisfaction of the arresting/investing officer till submission of report under Section 173 Cr.P.C. (challan). The petitioner shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions specified under Section 438(2) Cr.P.C. Thereafter, he will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off, accordingly.

June 02, 2020

(FATEH DEEP SINGH)

amit rana

JUDGE

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