

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

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CRM-M No.18039 of 2020
DATE OF DECISION : 9th JULY, 2020

Manpreet Singh @ Sahib Rosha

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court

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Present: Mr. Sudhir Sharma, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory/pre-arrest bail in case FIR No.141 dated 30.08.2019 registered under Sections 307, 379-B, 323, 506, 427, 341, 148, 149 & 120-B IPC and Sections 25/27 of Arms Act, at Police Station City Khanna, District Ludhiana.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner has not been involved in the alleged crime at all. Even as per the allegations of the prosecution the only attribution to the petitioner is that he forcibly stopped the car of the complainant by putting his own car in front of the car of the complainant. No injury, whatsoever, is attributed to the petitioner. Still further, it is submitted that there is no other case against the petitioner. On the contrary, the complainant is having 20 cases against him. The petitioner is ready to join the investigation.

Notice of motion.

Mr. Randhir Singh Thind, DAG, Punjab, accepts notice on behalf of the State and Mr. S. S. Behl, Advocate accepts notice on behalf of the complainant.

Learned State counsel, being instructed by ASI Sukhwinder Singh, has submitted that the name of the petitioner has specifically been mentioned in the FIR. There is specific allegation against the petitioner; qua stopping of the car of the complainant so as to facilitate the crime. However, it is not disputed that no injury is attributed to the petitioner and that there is no other case against the petitioner.

Learned counsel for the complainant has also submitted that the petitioner has very much been involved in the crime. It is further submitted that the assertion of the petitioner that the complainant is having 20 cases against him, is factually incorrect. Instead, the complainant has had only 18 cases, out of which; in most of the cases; he has been acquitted. However, it is not disputed even by the counsel for the complainant that no injury is attributed to the petitioner as such.

In view of the above, but without commenting anything on merits of the case, the present petition is allowed. In the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds/surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

9th JULY, 2020
'raj'

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No