

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

103

CRM-M No.18737 of 2020

DATE OF DECISION : 15th JULY, 2020

Mandeep Singh @ Maun & another

.... Petitioners

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court

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Present: Ms. Sukhver K. Brar, Advocate for
 Mr. R. K. Arya, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioners under Section 438 Cr.P.C for grant of anticipatory/pre-arrest bail in case FIR No.0073 dated 16.06.2020 registered under Sections 324, 326, 148 & 149 IPC, at Police Station Sekhwan, District Gurdaspur.

It is contended by counsel for the petitioners that the case against the petitioners is totally concocted. The father of one of the co-accused had contested election against the father of the complainant. Because of that grudge, the present case has been concocted for political reasons and under political pressure. The father of the said co-accused is supporter of the main opposition party of the State, whereas, the father of the complainant is the supporter of the ruling party. Still further, it is submitted that even as per the allegations; the injuries attributed to the petitioners are simple in nature. No grievous injury has been caused to any body in this alleged fight. The petitioners would join the investigation. There is no other case against the petitioners.

Notice of motion.

Mr. Sidakmeet Sandhu, AAG, accepts notice on behalf of the State and Mr. Gagandeep Singh Simble, accepts notice on behalf of the complainant.

Learned State counsel, being instructed by ASI Surinder Singh, has submitted that the petitioners are attributed specific injuries. He has totally refuted the allegation of any political pressure. It is further submitted that the police had taken action against the petitioners only as per the facts of this case. However, it is not disputed that the injuries attributed to the petitioners are simple in nature and that the father of the co-accused had contested the election against father of the complainant.

Learned counsel for the complainant has also vehemently opposed the present petition. It has been submitted by the counsel for the complainant that the petitioners, along with other persons, have caused grievous injuries to the complainant, including causing fractures, which has been duly reflected in the MLR. However, it is not disputed that the injuries attributed to the petitioners are simple in nature.

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 petitioners be released on bail subject to their furnishing personal bonds/surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners 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.

15th JULY, 2020
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>