

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-21563-2020 (O&M)

Date of Decision:- 13.8.2020

Mani Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.S.Malwai, Advocate, for the petitioner.

Mr. M.S.Nagra, AAG, Punjab.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.06, dated 8.1.2020, under Sections 458, 324, 323, 148, 149 IPC (Sections 325, 460, 201, 326, 506 IPC added later on), Police Station Moonak, District Sangrur.
2. Briefly, the allegations, as put forth in the aforesaid FIR, are to the effect that on 07.01.2020 at about 6:30 P.M., Sukhwinder Singh @

Sukhu alongwith his father Pritam Singh, brother Simranjit Singh @ Simi, mother Manjit Kaur and 6/07 unknown persons armed with sharp edged weapons and 'sticks' entered their house. Pritam Singh exhorted the co-accused. Sukhwinder Singh @ Sukhu inflicted 'kirpan' blow towards the head of Amrik Singh (complainant), who raised the left hand and blow fell on his little finger. Simranjit Singh @ Simi inflicted 'kirpan' blow on the left side of the forehead and Pritam Singh inflicted 'gandasa' blow from the reverse side on the right side of the chest of the complainant. An unknown person gave stick blows which landed on the right thumb. An alarm was raised which attracted Budh Singh, the father of the complainant. Manjit Kuar gave 'kirch' blow towards the abdomen of the father, who fell down, but no loss was caused by said 'kirch' blow. The dang blow was also inflicted upon him. Pritam Singh had inflicted 'gandasa' blow below the elbow of Budh Singh. An alarm was raised which attracted the people and the assailants slipped away.

3. Learned counsel for the petitioner submits that he has falsely been involved in the present case and in fact is not named in the FIR.
4. Opposing the petition, learned State counsel has submitted that since the petitioner has been named in the supplementary statement of the complainant and it is a case where greivous injury has been caused to the complainant with the help of sharp edged weapon, no case for grant of bail is made out. It has however, been informed that the petitioner has been behind bars since the last more than 6 months and that the petitioner is not involved in any other case.

5. I have considered rival submissions addressed before this Court. Having regard to the fact that the petitioner has been behind bars since the last about 6 months and that an identically situated co-accused Akshay Kumar who was also not named in the FIR has already been granted bail by this Court vide order dated 27.7.2020 (Annexure P-3), the petition merits acceptance and is hereby accepted. The petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

August 13, 2020
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No