

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

1) CRM-M-21928 of 2020 (O&M)
Date of decision : 16.10.2020

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Manpreet Singh @ Billa @ Mannu
.....Petitioner

vs.

State of Punjab
.....Respondent

2) CRM-M-23848 of 2020 (O&M)

...

Bhagwant Singh
.....Petitioner

vs.

State of Punjab
.....Respondent

3) CRM-M-27626 of 2020 (O&M)

...

Nirmal Singh
.....Petitioner

vs.

State of Punjab
.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Nitish Singhi, Advocate for the petitioners.

Mr. H.S. Sullar, Deputy Advocate General, Punjab.

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H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

Vide this order, I propose to dispose of three petitions for grant of pre-arrest bail, bearing CRM-M-21928-2020 filed by Manpreet Singh @ Billa @ Mannu aged about 31 years, son of Avtar Singh; CRM-M-23848-2020 filed by Bhagwant Singh, aged about 36 years and CRM-M-27626-2020 filed by Nirmal Singh, aged about 32 years, both sons of Harpal Singh, all residents of village Malko Majra, Tehsil and District Fatehgarh Sahib, all of them being accused in FIR No. 181 dated 2.7.2020, for offences under Sections 341, 342, 379, 323, 506, 34 IPC, registered at Police Station Sirhind, District Fatehgarh Sahib.

Briefly stated, the prosecution story is that, on 30.6.2020, complainant Gurjant Singh s/o Karamjit Singh, resident of village Landa, Police Station Doraha, District Ludhiana, aged about 35 years, had gone to the matrimonial home of Manpreet Kaur w/o Nirmal Singh, at village Malko Majra, Police Station Sirhind, who happens to be her relative. Manpreet Kaur sat pillion on the motorcycle of the complainant and they went to Dr. Gurpreet Hospital, Sirhind, for medical treatment of Manpreet Kaur and thereafter, the complainant dropped Manpreet Kaur, outside her

matrimonial home at about 10.00 P.M. When complainant had gone a little ahead of matrimonial home of Manpreet Kaur, then Nirmal Singh s/o Harpal Singh alongwith his brother Bhagwant Singh and friend Billa and Manu, travelling in a Swift car, intercepted him. They were armed with iron pipes. They assaulted the complainant, causing him injuries on various parts of the body including his head. They threatened to throw him in the canal. During the incident the mobile phone of the complainant-injured was removed by Nirmal Singh. Injured was taken to Civil Hospital, Fatehgarh Sahib and was treated there. On the basis of his statement of formal FIR was registered. The motive of the incident was that the accused suspected that complainant-injured was having illicit relations with Manpreet Kaur.

After registration of the FIR, apprehending their arrest in this case, petitioners had approached the Court of Sessions at Fatehgarh Sahib, seeking grant of pre-arrest bail, but were unsuccessful there, as such they have knocked at the door of this Court, by filing the present petitions, craving for grant of similar relief. Notice of the petitions filed by them was given to the State.

I have heard learned counsel for the petitioners, learned State counsel, besides going through the record.

Petitioners were granted interim bail with a direction to join the investigation. They have since joined the investigation. As per version of the petitioners, they had caught hold of the complainant, who had come to the matrimonial home of Manpreet Kaur w/o

Nirmal Singh, having illicit relations with her and the version set up by the complainant in the FIR is wrong.

Learned counsel for the petitioners submits that the petitioners have surrendered their passports and have joined the investigation. No recovery is to be effected from them, as such they be granted pre-arrest bail.

Learned State counsel, on instructions from ASI Baljit Singh, has admitted the fact of petitioners having joined the investigation, their submitting passports with the Investigating Agency and iron pipe having been recovered from Nirmal Singh, adding that custodial interrogation of the petitioners is not required by the Investigating Agency.

Keeping in view the detailed discussion above, I find it a fit case to grant pre-arrest bail to the petitioners. Accordingly, the interim bail granted to the petitioners, vide orders dated 7.8.2020, 21.8.2020 and 15.9.2020, is made absolute, subject to fulfillment of following conditions under Section 438(2) Cr.P.C:-

- i) that the petitioners shall appear before the Investigating Officer as and when required and as and when summoned by the I.O.;
- ii) that the petitioners shall not give any threat or intimidation to the prosecution witnesses.
- iii) that the petitioners shall not leave India without the prior permission of the Court.

In case the petitioners violate any term and condition on

which the bail has been granted to them, the prosecution would be entitled to apply for cancellation of bail.

The petitions in that way are allowed.

16.10.2020
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(H.S. Madaan)
Judge

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