

219

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

**CRM-M No.28000 of 2019
Date of Decision: 29.01.2020**

MANPREET SINGH @ MANNA

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. H.P.S Ishar, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.9 dated 12.02.2019, registered under Sections 307 and 324 IPC (Section 307 IPC added later on) at Police Station Jourkian, District Mansa.

At the very outset, learned counsel for the petitioner submitted that the petitioner and complainant have entered into an amicable settlement and on the basis of such understanding, a petition bearing CRM-M No.3615 of 2020 is pending consideration before this Court for 19.02.2020. The issue with regard to quashing of FIR on the basis of compromise shall be

considered by this Court in accordance with law.

In the present case, the petitioner seeks regular bail as he is in custody since 18.02.2019. It is a case of single blow on the pelvic region which hit on the left side of neck of the complainant. The injury suffered by the complainant was 2 cm x 0.8 cm long and was a 3 cm deep incised wound. The Doctor vide his opinion dated 16.02.2019 has declared the same to be grievous and dangerous to life.

Learned counsel for the petitioner submitted that in terms of Section 320 IPC (Eightly) any hurt which endangers life or which causes the sufferer to be during the space of twenty days in severe bodily pain, or unable to follow his ordinary pursuits would be grievous hurt. Any enhanced culpability in terms of opinion of the Doctor would be subject to the opinion in terms of sufficiency of injury to cause death in ordinary course of nature.

Since there is no such opinion given by the Doctor as on date, therefore, it would be just and appropriate to consider the prayer for grant of regular bail to the petitioner, particularly when the parties have shown their intention to compromise the issue by filing CRM-M No.3615 of 2020 in the High Court.

Learned State counsel on instructions from ASI

Balwinder Singh however opposed the aforesaid prayer on the ground that the receipt of injury is on the vital part and the configuration of injury is dangerous to life.

Having considered the arguments in the light of aforesaid facts and without adverting to the merits of the case, I am of the view that petitioner, who is in custody since 18.02.2019 can be enlarged on bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

January 29, 2020

Atik

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No