

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

CRM-M-32832-2020 (O&M)

Date of decision: 14.01.2021

Maninder Singh @ Mavi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Ms. Kuljit Kaur, Advocate for the petitioner.

Mr. J.S. Ghuman, DAG, Punjab.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This petition for regular bail has been filed by petitioner Maninder Singh @ Mavi, an accused in FIR No.34 dated 02.03.2020, for offences under Sections 307, 324, 148 and 149 IPC, registered with Police Station Sadar, Sri Muktsar Sahib.

Briefly stated the prosecution story is that, on 28.02.2020, at about 11.30 AM, Harpreet Singh @ Khocha son of Boota Singh, R/o Model Town, Sri Muktsar Sahib had gone to saloon of complainant Hardeep Singh son of Phoola Singh, aged about 32 years, situated in front of road of Bajaj Motorcycle Agency, for hairdo; when the complainant demanded Rs.20/- as charges for doing hairdo, then

Harpreet Singh @ Khocha started arguing with him, stating that the complainant was charging much more than the others and gave Rs.10/- to the complainant and thereafter, left the saloon; when the complainant asked him to pay remaining Rs.10/-, then Harpreet Singh @ Khocha told him that he would pay later on; on the same day, at about 06.30 PM, Harpreet Singh @ Khocha along with some other persons went to saloon of the complainant; Harpreet Singh @ Khocha called out the complainant, at that time Harpreet Singh @ Khocha was armed with a kapa, Sonu also armed with a kapa and two unknown persons accompanying them, were having sticks in their hands; Sonu gave a lalkara and Harpreet Singh @ Khocha hit the complainant on head with kapa; he did so with an intention to kill him; the complainant raised alarm, then Sonu gave kapa blows to the complainant on head, having an intention to kill him; the complainant fell down and some other persons gathered at the spot; then the assailants ran away from the place of incident along with respective weapons and vehicles; the complainant/injured was taken to Civil Hospital, Sri Muktsar Sahib from where he was referred to GGS Hospital, keeping in view his serious condition; on being informed, a police party came and recorded statement of complainant, on the basis of which formal FIR was recorded and accused Maninder Singh @ Mavi was arrested in this case on 17.07.2020 and he is in custody since then. During investigation, involvement of three more persons in the incident was

found to be there.

Petitioner/accused had filed an application for grant of regular bail before learned Sessions Judge, Sri Muktsar Sahib. However, the said application was dismissed, vide order dated 02.09.2020. As such, he has approached this Court, craving for grant of similar relief, which request is being opposed by learned State counsel.

I have heard learned counsel for the parties besides going through the record.

Here the allegations against the petitioner are very grave and serious that he while armed with a dangerous weapon like kapa was member of an unlawful assembly, which had indulged in rioting and in prosecution of common object/having common intention, the complainant was subjected to merciless assault by giving repeated blows with kapa on head, which is a vital part. The intention of assailants in causing injuries to the complainant appears to be to kill him. The FIR has been registered for offence under Section 307 IPC besides other offences. In the FIR, the petitioner is referred to as Sonu Singh. Sonu Singh is none else but the present petitioner. The gravity and seriousness of allegations against the present petitioner, he having taken active part in the incident by attacking complainant/injured causing him injuries on vital part like head. The injuries on head of complainant are said to have been declared dangerous to life by the doctor. His act and conduct is to be taken with all the seriousness. Although the challan in this case is said to have been filed but charge is

yet to be framed. There is reasonable apprehension of petitioner trying to tamper with the prosecution evidence by giving threat or inducement to the prosecution witnesses and even to abscond, if granted the concession of bail. As per custody certificate filed, the petitioner is shown to be involved in another criminal case bearing FIR No.192 dated 11.06.2020, for offences under Sections 458, 326B, 435, 427, 380, 506, 148, 149 and 188 IPC, registered with Police Station City, Sri Muktsar Sahib. That means, he is a habitual offender. Thus, no case for grant of regular bail to the petitioner is made out. The petition being without merit stands dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

14.01.2021

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No