

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-7286-2022 (O&M)

DATE OF DECISION: FEBRUARY 25, 2022

MANINDER SINGH @ MANI

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. VIJAY RANA, ADVOCATE FOR THE PETITIONER.
MR. RAMANDEEP SINGH SANDHU, SR.DAG, PUNJAB.

MANOJ BAJAJ, J.(ORAL)

CRM-6769-2022

This is an application for placing on record compromise dated 19.1.2022 arrived at between the parties and orders (Annexure P-3 and P-4).

Notice in the application.

Learned State counsel accepts notice and does not dispute the aforesaid prayer.

CRM is allowed.

Main Case

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.150 dated 8.9.2021, under Section 323, 326, 452, 506, 148, 149 IPC, Police Station Bullowal, District Hoshiapur, who is in custody since his arrest on 7.12.2021.

The allegations contained in the FIR as noticed by the Addl. Sessions Judge, Hoshiarpur, in the order dated 7.1.2022 , are as under:-

“The facts of the case are that Kashmir Singh son of Teja

Singh gave his statement to the police that on 6.9.2021 at about 7.00 PM, he was walking in the courtyard of his house. In the meantime, a tractor came near his house, on which deck was being played at a loud voice. The said tractor was being driven by Maninder Singh whereas Charandeep Singh alias Deepa and Bhupinder Singh sons of late Kulwinder Singh were sitting on the mudguards. They stopped the tractor in front of the gate of their house. The complainant asked them to switch off the deck, on which Maninder Singh said that they would play the deck like that and he may do whatever he can. All the abovesaid boys remained playing the deck for 5/7 minutes and then went to their houses. At about 7.30 PM, they came back and entered their courtyard by giving push to the gate due to which the Aral of the gate was broken. Maninder Singh raised lalkara to catch hold of him and be not spared. At that time apart from the abovesaid three accused, Jassa son of Jagdish and 5/6 unknown persons were also with them. Maninder Singh gave Daat blow, which hit on his forehead above the left eyebrow, due to which blood started oozing. Then Jassa gave Kirpan blow, which hit above his left ankle. The remaining accused were having Dangs in their hands. Charandeep Singh alias Deepa gave Dang blow which hit above his right upper arm on the shoulder. Bhpinder Singh also gave Danda blow which hit in the middle of his head on the left side. He scuffled with the accused and fell down on the ground. While he was lying on the ground, the accused gave danda and kick blows to him due to which he received many invisible injuries on his body. His wife Kamaljit Kaur raised alarm for help and came forward to rescue him. The accused also tried to beat her. She rushed to a room and saved her life. On

hearing their shrieks, his brother Jasvir Singh alongwith Soni resident of Hussainpur came on the spot and rescued them. The assailants fled away from the spot alongwith their weapons by giving abuses and threats. His brother and worker Mandeep Singh admitted him in Civil Hospital, Shamchaurassi. The reasons behind the occurrence is that he had asked the accused to switch off the deck due to which they caused injuries to him by entering his house.”

Learned counsel for the petitioner has argued that the alleged occurrence took place between neighbours and the above FIR was registered against the petitioner and co-accused. He further submits that a compromise has been effected between the parties, and in this regard, he has placed reliance upon compromise deed (Annexure P-2). He further submits that co-accused of the petitioner has already been granted anticipatory bail by this Court vide order dated 15.2.2022 (Annexure P-4). He prays for bail.

On the other hand, learned State counsel assisted by SI Ravinder Singh does not dispute this fact that co-accused of the petitioner has been granted anticipatory bail by this Court and the parties have amicably settled the dispute.

Considering the above background and the custody of the petitioner, this Court is of the opinion that further detention of the petitioner may not be necessary for any useful purpose as the trial would take considerable time to conclude.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds

to the satisfaction of the trial Court concerned.

The petition is allowed.

February 25, 2022
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No