

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

208

**CRM-M-13287-2022 (O&M)
Date of decision: 27.05.2022**

MANPREET SINGH @ SUNNY

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. Harish Goyal, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG Punjab.

VINOD S. BHARDWAJ. J. (ORAL)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.234 dated 11.08.2021 under Sections 308, 323, 148, 149 and 325 of the Indian Penal Code, 1860 (Section 325 of the Indian Penal Code, 1860 added later on) registered at Police Station Sadar Mansa, District Mansa.

Learned counsel for the petitioner *inter alia* contends that the FIR in question has been registered on the statement of Kuldeep Singh on the allegation that the petitioner along with his brother and 4-5 unknown persons had caused injuries to the victim and had thereafter run away from the spot. It is alleged in the FIR that Manpreet Singh alias Sunny (petitioner herein) had hit with an iron pipe on the hand and also on the right-side of the cheek. He submits that the petitioner is not involved in any other offence and that he has no criminal antecedents. Besides, the investigation in the case is complete and no recovery is to be effected

from the petitioner. In addition thereto, he submits that the nature of the injuries sustained by the injured reflect only attracted Section 325 IPC and that the said offence would be bailable. The only offence which is non-bailable as per FIR is under Section 308 IPC wherein, the maximum sentence prescribed is up to 07 years. He further submits that all other co-accused of the petitioner have already been enlarged the concession of bail by the trial Court vide order dated 12.10.2021.

Learned State counsel points out that the injury attracting Section 325 IPC is attributed to the petitioner. It is not disputed by him that the said injury has not been assessed as dangerous to life or endangering human life in any manner. It is also not in dispute that Section 325 IPC is a bailable offence. He further points out that the investigation in the case is already complete and that final report stands filed. No evidence has however been recorded in the present case.

I have heard learned counsel for the parties and have perused the material on record.

Taking into consideration the fact that all other co-accused have already been granted the concession of bail; that the investigation in the case is complete; the petitioner has been in custody since 02.02.2022 and that the trial is likely to take a long time ; that the petitioner does not suffer any criminal antecedents and that the offence under Section 325 IPC is even otherwise a bailable offence, I deem it appropriate to enlarge the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted to regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall

not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

May 27, 2022

S.Sharma(syr)

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