

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19785-2022
Reserved on: 16.08.2022
Pronounced on: 26.08.2022

Maninder Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Ramnish Puri, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
59	23.03.2022	Lalru, District SAS Nagar (Mohali)	307, 120-B IPC

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 438 CrPC seeking anticipatory bail.
2. In paragraph 13 of the bail petition, the accused declares that he has no criminal antecedents.
3. The complainant was brutally assaulted by unknown persons and he suspects that those persons were hired by his relatives, including the petitioner. The victim further alleged that after thrashing him, when was lying almost unconscious, then he heard the assailants talking to re-check whether he was alive or dead otherwise Maninder (petitioner) will not give them money.
4. Ld. Counsel for the petitioner contends that the custodial investigation would serve no purpose whatsoever, and the pre-trial incarceration would cause an irreversible injustice to the petitioner and family.
5. Ld. counsel representing the State opposes bail.

REASONING:

6. In FIR, the victim explicitly mentioned that after he has been brutally thrashed by

assailants and he was lying almost sub conscious then one of the accused proclaimed to check whether he was dead or not otherwise Maninder Singh would not pay the money. The allegations are also specific that the assailants were ahead acted on behalf of Maninder Singh, who was son of his paternal uncle and they had arranged the attack due to enmity.

7. The allegations are serious and offence heinous. The evidence collected so far points out that the victim was brutally and mercilessly assaulted and the petitioner has been named as the person who had hired the assailants. Given the nature of injuries and preparations made for such assault, it does not entitle the petitioner to bail at this stage.

8. An analysis of the allegations and evidence collected does not warrant the grant of bail to the petitioner.

9. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner fails to make a case for bail at this stage.

10. Any observation made hereinabove is neither an expression of opinion on the merits of the case nor shall the trial Court advert to those comments.

Petition dismissed in aforesaid terms. All interim orders granting bail stand vacated.
All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

26.08.2022
Jyoti-II

Whether speaking/reasoned:	Yes
Whether reportable:	No.