

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

CRM-M-30330-2022

Date of Decision: 09.11.2022

MANJINDER SINGH ALIAS MANINDER SINGH ALIAS SONI
..... Petitioner

Versus

STATE OF PUNJAB Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Ankit Kharbanda, Advocate for the petitioner.

Mr. J.P. Ratra, Sr. DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

Through instant petition under Section 439 of Code of Criminal Code, 1973, the petitioner is seeking bail in FIR No.0022 dated 19.05.2019 registered at Police Station Verowal, District Tarn Taran under Sections 302 and 34 of Indian Penal Code, 1860.

The status report and custody certificate filed in Court, are taken on record.

Learned counsel for the petitioner would contend that role of petitioner is confined to raising *lalkara* and there is no allegation of causing injury which resulted into death of Bunty Singh-deceased. He further submits that there are 22 witnesses and 2 has already been examined. The petitioner is not involved in any other case.

Learned State counsel on instructions from ASI Avtar Singh states that concededly there is no allegation of causing injury on the part of petitioner, nevertheless, he had raised *lalkara* which resulted into scuffle and injuries by two other accused. Though charges have been framed and complainant has been examined yet out of 22 witnesses only

2 have been examined, thus, petitioner does not deserve to be released on bail.

Having heard arguments of both sides and perused the record, this Court finds that role of present petitioner is confined to raising lalkara and it is undisputed fact he has not caused any injury to the deceased. The charges have already been framed and complainant stands examined.

The petitioner who has already suffered incarceration of 1 year, 4 months and 23 days (as per custody certificate dated 07.11.2022) is not involved in any other criminal case. The petition deserves to be allowed.

Accordingly, the petition is allowed and the petitioner is directed to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

If the petitioner or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

The petitioner shall not leave India without prior permission of the Trial Court.

(JAGMOHAN BANSAL)
JUDGE

09.11.2022
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>