

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

CRM-M-43533-2022

Date of Decision: 21.9.2022

Manpreet Singh @ Mani

...Petitioner

Versus

State of Punjab

...Respondents

CORAM:HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr.A.S.Brar, Advocate for the petitioner

Mr.G.S.Sandhu, DAG, Punjab

ASHOK KUMAR VERMA, J.

Notice of motion.

On the asking of this Court, Mr.G.S.Sandhu, DAG, Punjab
accepts notice on behalf of the State.

Through this petition under Section 438 Cr.P.C. prayer has
been made for grant of anticipatory bail to the petitioner in case FIR
No.106 dated 28.07.2022 registered under Sections 323, 325, 452, 506,
34 IPC at Police Station Kot Ise Khan, District Moga.

The brief facts of the case are that present FIR was
registered on the statement of complainant Hira Singh son of Walla
Singh alleging that on 25.07.2022, after inquiring well-being of his
brother-in-law Gagandeep Singh @ Billa son of Charna Singh from
Nanny Hospital, Kot Ise Khan he reached Village Masitan. He found
standing Joga Singh son of Pappu Singh and Gohli son of Nachhattar
Singh in the street of his house. On asking as to why they are standing
there, they started abusing him. He entered into his house. At about
9.30 p.m., Joga Singh armed with kirpan; Gohla Singh armed with

baseball bat, Money son of Pappu Singh armed with stick and Ajay son of Pappu Singh armed with stick followed him. Ajay raised lalkara. Joga Singh gave kirpan blow hitting right wrist of his wife Rani Kaur, as she came to rescue him. Gohla Singh gave baseball bat blow hitting on the right side of his shoulder. Ajay gave stick blow hitting wrist of his right hand. Money gave 3-4 stick blows on his thighs. They raised alarm. At this, all the above said assailants along with their weapons ran away from the spot. People gathered there. His brother Joga Singh got him admitted in Civil Hospital, Kot Ise Khan, from where he was referred to Civil Hospital, Moga. Compromise talks were going on, which could not materialized. It is alleged that motive behind the assault is that above said accused used to stand in front of door of his house and he used to restrain them. Due to this grudge, all the above said persons inflicted injuries to him. On receipt of Supplementary report, injuries No.1 and 2 were declared as grievous in nature and offence under Section 325 IPC was added.

Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present case. The only alleged role attributed to the petitioner is that he gave 3-4 stick blows on the thigh of the complainant. The alleged injury attributed to the petitioner is simple in nature which is not on the vital part of the body. There is unexplained delay of three days in registration of FIR. Offences under all the Sections are triable by the Magistrate. Moreover, co-accused of the petitioner has already been granted anticipatory bail by this Court vide order dated 24.8.2022 passed in CRM-M-35989-2022. Petitioner is ready and willing to join

the investigation. On the other hand, learned State counsel opposed the grant of anticipatory bail to the petitioner.

Having heard learned counsel for the petitioner as well as learned State counsel and considering overall facts and circumstances, petitioner is directed to join the investigation within 7 days from today and remain present before the Investigating Officer as and when called for and in the event of arrest, the petitioner shall be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

The petition is disposed of accordingly.

(ASHOK KUMAR VERMA)
JUDGE

21.9.2022
MFK

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No