

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

CRM-M-57766-2022

Date of Decision:-16.12.2022

Mani Reen @ Mani Lawrance.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Amandeep Singh, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The Prayer in this petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.84 dated 05.06.2021 under Sections 307, 323, 506, 148, 149 IPC registered at Police Station Division No.7, District Ludhiana.

As per the prosecution case, the present case was registered at the instance of Major Singh who stated that on 03.06.2021, he was eating momos in the street outside his house. At about 8:30 PM, two motorcycles came from the side of temple street. Arun Sharma, Vishal alias Vishu Thatha, Mani Lawrance @ Money (petitioner, also known as Mani Singh), Raja Bajaj, Karan Walia and Himanshu Verma alias Mani stopped the motorcycles and came near him. Money Lawrance alias Mani Singh showed him a pistol like article. All the accused raised *lalkaras* that Major Singh should not be spared. When he ran away in order to save himself, Karan

Walia and Himanshu Verma alias Mani caught hold of his arms. Vishal alias Vishu Thatha gave sword blow with an intention to kill which hit on the left side of his head. Blood started oozing. He again tried to run away on which Money Lawrance alias Money Singh gave a sword blow towards his head. He raised his left hand to save himself and the same hit his fingers. Raja Bajaj and Money Lawrance alias Mani Singh gave a sword blows towards his head which hit on his right hand. He fell down. Arun Sharma gave *danda*/stick blows on the left side of his waist and other body parts. With these allegations, the present case under Section 307, 323, 148, 149, 506 IPC was registered. In due course the applicant was arrested.

The Counsel for the petitioner contends that the petitioner is said to have caused an injury on the hand of the complainant/victim which as per medical opinion is simple in nature. He contends that a similarly situated co-accused, Sarabjot Singh @ Raja Bajaj has been granted the concession of bail vide order dated 02.08.2022 passed in CRM-M-32670-2022 (Annexure P-2). Two co-accused namely Vishal and Arun Sharma have been granted the concession of anticipatory bail vide orders Annexure P-3 and P-4. The petitioner is in custody since 27.07.2022 and none of the 15 prosecution witnesses have been examined so far. Therefore he deserve the concession of bail, more so when in the four other FIRs registered against him he has been granted the concession of bail in three and a bail application with respect to one FIR is pending.

The Counsel for the State on the other hand contends that the petitioner has criminal antecedents and is involved in four other cases namely, FIR No.166 dated 5.6.2021 under Sections 307, 148, 149, 506, 120-B and 411 IPC registered with P.S. Division No.3, Ludhiana, FIR No.35

dated 24.02.2022 under Sections 323, 341, 427, 148, 149, 506 IPC and Section 25 of Arms Act registered with P.S. Division No.3, Ludhiana, FIR No.106 dated 05.06.2021 under Sections 307, 326, 325, 323, 324, 451, 506, 201, 148, 149, 120-B IPC & Sections 25/54/59 of Arms Act registered at P.S. Tibba, Ludhiana and FIR No.133 dated 04.06.2021 under Sections 336, 148, 149, 120-B, 188, 307 IPC and Sections 25, 27, 54, 59 of Arms Act registered with P.S. Moti Nagar, Ludhiana. He however admits the fact that in three cases, the petitioner has been granted the concession of bail. He also admits the fact that a similarly situated co-accused of the petitioner namely Sarabjot Singh @ Raja Bajaj has been granted the concession of bail vide order dated 02.08.2022 (Annexure P-2).

I have heard learned Counsel for both the parties at length.

Admittedly, the petitioner is in custody since 27.02.2022. His co-accused has been granted the concession of bail vide order Annexure P-2. A perusal of the said order would reveal that Sarabjot Singh @ Raja Bajaj himself was an accused in 05 other cases and in 04 of the said 05 cases, the petitioner is a co-accused. In three of those four cases in which the petitioner is a co-accused he has been granted the concession of bail. Further, none of the 15 prosecution witnesses have been examined so far and as such the Trial is not likely to be concluded any time soon. Therefore, the further incarceration of the petitioner is not required.

Thus, without commenting on the merits of the case, the petitioner-**Mani Reen @ Mani Lawrance** son of Sh. Kamaljit Singh is ordered to be released on bail subject to the satisfaction of learned CJM/Duty Magistrate, concerned.

The petitioner shall appear before the police station concerned

on the first Monday of every month till the conclusion of the trial and inform in writing that he is not involved in any other crime other than the cases mentioned in this order.

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

In addition, the petitioner or any person on his behalf shall prepare an FDR in the sum of Rs.2,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited in accordance with law in case of the absence of the petitioner from the Trial without sufficient cause.

The Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

December 16, 2022
Vinay

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