

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.30981 of 2023
Date of decision: 25th July, 2023

Karnail Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. G.S. Bhatia, Advocate for the petitioner.

Mr. H.S. Sitta, Deputy Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.303 dated 04.10.2022 under Section 307 IPC registered at Police Station Civil Lines, District Amritsar.

2. Learned counsel for the petitioner inter alia submits that a fabricated case has been planted upon him for allegedly attacking his daughter in law, who was facing trial in FIR No.58 dated 16.9.2022 for offences under Sections 302, 34 IPC when she was brought to the courts at Amritsar for hearing of the case. It has been submitted that there was no cogent evidence much less medical, from which it could be gathered that the injuries allegedly inflicted upon Manreet Kaur, daughter in law of the petitioner, were dangerous to life. He submits that after the petitioner was arrested on 4.10.2022, charges were framed

on 13.02.2023 however, till date none of the prosecution witnesses had been examined as would be evident from the zimni orders which have been placed on record by him. A prayer has therefore, been made for extending the concession of bail to the petitioner, as his further incarceration would serve no useful purpose and the trial shall take considerable time to conclude.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has submitted that it was a premeditated attack carried out by the petitioner upon his daughter in law Manreet Kaur, who was facing trial for the murder of her husband, i.e. son of the petitioner. The unprovoked attack was carried out in full public view in the presence of the police officials, who had escorted Manreet Kaur to the Court premises. Learned State counsel submits that the petitioner gave six repeated blows with kirpan including three on her head. While drawing the attention of this Court to the MLR of Manreet Kaur which has been annexed as Annexure P-2, learned State counsel submits that ocular testimony finds due corroboration with the medical evidence in as much as all the six injuries inflicted by the petitioner on the person of the complainant are duly detailed therein. It has thus been prayed that since there is a history of animosity between the petitioner and his daughter in law, who is facing trial for the murder of her husband, there could be a likelihood of the petitioner misusing the concession of bail and yet

again attacking Manreet Kaur as and when she is produced in the Court in the criminal case in which she is facing trial.

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

5. Prima facie there are serious and specific allegations against the petitioner of having carried out a premeditated attack on the person of Manreet Kaur. As per the instructions received by the learned State counsel, case is fixed before the trial Court on 08.08.2023 when the complainant PW ASI Jaswinder Kaur has been summoned to depose. In the facts and circumstances enumerated hereinabove, this Court does not find any merit in the instant petition and the same stands dismissed.

6. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

July 25, 2023
rps

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