

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

CRM-M No.30668 of 2023
Date of decision: 2nd August, 2023

Manjeet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Naveen Sharma, Advocate for the petitioner.
Mr. P.S. Grewal, 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.271 dated 28.11.2022 under Sections 323, 307, 427, 451, 506, 148, 149 IPC registered at Police Station Haibowal, District Ludhiana.

2. While drawing the attention of this Court to the allegations levelled in the FIR, which has been annexed as Annexure P-1, learned counsel for the petitioner inter alia submits that a perusal of the same clearly indicates that no specific injury much less injury inviting the mischief of Section 307 IPC has been attributed to him. He submits that the petitioner has now been in custody since 20.11.2022 and after the challan was presented on 21.01.2023, charges had not yet been framed. He further submits that since investigation is complete in the case in

hand, further incarceration of the petitioner would serve no useful purpose. On a pointed query put to the learned counsel as to whether the petitioner is involved in any other criminal case, he has replied in the negative.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has not been able to dispute that the injury which was on the head of injured Sumit had been attributed to the co-accused and not to the petitioner. However, he submits that the petitioner was armed with a Datar with which he inflicted a simple injury on the person of injured Sumit. On a pointed query put to the learned State counsel as to what was the seat of injury which had been attributed to the petitioner, he on instructions, has very fairly submitted that no such specific injury had been attributed to the petitioner.

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

5. The petitioner has now been in custody since 20.11.2022 and the trial shall take considerable time to conclude as charges have not yet been framed. It is not disputed that the petitioner though has been attributed a simple injury with Datar on the person of injured Sumit, however, no such simple injury finds reflected in the MLR of the injured. In the facts and circumstances as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted

to bail to the satisfaction of the trial Court/Duty Magistrate. 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

August 2, 2023
rps

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