

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.39822 of 2023
Date of decision: 29th November, 2023

Manpreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Piyush Sharma, Advocate for the petitioner.

Ms. Kanica Sachdeva, Asst. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.21 dated 09.02.2023 for the offences under Sections 308, 323, 34 IPC registered at Police Station, Mamdot, District Ferozepur.

2. On the last date of hearing, i.e. 24.08.2023, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation, in view of the following submissions made by learned counsel for the petitioner on 16.08.2023:

“Learned counsel, inter alia contends that as per the allegations levelled in the FIR, the petitioner inflicted a blow on the left side of the head of the complainant with a wooden plank, which had a nail on it, as a result of which he received a grievous injury. He submits that the Doctor

who opined the said injury to be grievous, had not even treated the complainant at any point of time.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 24.08.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Jaspal Chand, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. However, she submits that the recovery of the weapon of offence has not yet been effected. On a pointed query put to the learned State counsel, she has not disputed that the injury attributed to the petitioner was declared to be dangerous to life after six months, and that too, on an opinion given by a doctor who had not even treated the complainant injured.

5. In the circumstances, the petition is allowed and the interim order dated 24.08.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

November 29, 2023
rps

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