

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

CRM-M-56304-2022
Reserved on: 20.04.2023
Pronounced on: 15.05.2023

Manpinder Singh @ Money ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Davinder Bir Singh, Advocate for the petitioner(s).

Mr. Virat Rana, AAG, Punjab

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ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
20	13.03.2022	Zira, District Ferozepur	307, 341, 323, 34 IPC (section 302 IPC added on 29.03.2022 vide Rapat No.25 and offence under Section 3/4 of SC & ST Act, 1989 was added on 05.06.2022 vide GD No.22 . Charges framed under Section 302 IPC and 3(2)(V) of SC&ST (Prevention of Atrocities Act, 1989)

“(3). hat brief facts of the case are that on 12.03 2022 information received in the police station that Iqbal Singh son of Wazir Singh has been admitted in Civil Hospital Zira, in injured condition. When police party visited Civil Hospital Zira, then it came to know that Iqbal Singh has already been referred to Guru Gobind Singh Medical College and Hospital, Faridkot. On 13.03.2022 a police party headed by SI Kulwinder Kaur visited Guru Gobind Singh Medical College and Hospital, Faridkot, but doctor has informed that Iqbal Singh is not fit to get record his statement. Then brother of injured namely Pal Singh son of Wazir Singh met with the police party and he got recorded his statement with the police that 12.03.2022 at about 7:30 PM when he reached near the Dharamshala of their village then he found that his cousin brother Iqbal Singh came out from the house of Ramandeep Singh, at that time Nirmal Singh son of Karamjit Singh and Manpinder Singh (Petitioner) and Amritpal Singh @Money were sitting near the Dharamshala alongwith their motorcycle. When Iqbal Singh reached near Dharamshala then said Karamjit Singh. Manpinder Singh and Amritpal Singh rounded up him and petitioner Manpinder Singh @Money picked up one brick lying in nearby and gave a blow of same in the head of Iqbal Singh with intention to kill him, which hit on the left side of head of Iqbal Singh. Then Manpinder Singh picked up another brick and gave blow of same which hit on the chin of Iqbal Singh, due to which Iqbal Singh fell down on the ground. Then Amritpal Singh gave blows of stick on Iqbal Singh and petitioner also gave beatings to Iqbal Singh. When Iqbal Singh raised alarm then complainant tried to save Iqbal Singh. then all the accused run away from the spot alongwith their motorcycle.”

6. The allegations are that the petitioner had given two blows from a brick on the victim. The petitioner's case is that the medical evidence does not point out any injury on the head of the deceased and one injury is below chin and second is on left parietal region. As such the medical version does not support the ocular version. This is a misreading of the complaint, where the allegations are hitting two blows on head, by the petitioner; there is one injury on parietal portion and the other is on chin and not on head. Simply because one of the bricks did not land on head, would not imply that the version is false, more so, when there is one injury noticed on head. A perusal of the bail petition and the documents attached, prima facie points towards the petitioner's involvement and does not make out a case for bail. Any further discussions are likely to prejudice the petitioner; this court refrains from doing so.

7. Any observation made hereinabove is neither an expression of opinion on the merits of the case nor shall the trial Court advert to these comments.

The petition is dismissed. However, considering the petitioners' custody, this court requests the concerned trial court to make all endeavours to conclude the trial by Sep 30, 2023, of which the prosecution evidence be completed by Aug 31, 2023, and the remaining time to provide an opportunity to the accused to lead defence evidence, if so desired. It is clarified that this order speeding-up the trial is subject to the condition that neither the petitioner shall seek any adjournment nor try to use any tactics to delay the trial. If they do so, this order of expediting the trial shall stand automatically

recalled by resorting to Section 362, read with Section 482 Code of Criminal Procedure, 1973, without any further reference to this court. All pending applications, if any, stand closed.

(ANOOP CHITKARA)
JUDGE

15.05.2023
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Whether speaking/reasoned:	Yes
Whether reportable:	No.