

MANDEEP SINGH ALIAS JHALLI

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. J.K.Singla, Advocate for the petitioner.

Mr. Iqbal Singh Mann, DAG Punjab.

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VIVEK PURI, J. (ORAL)

The petitioner is seeking regular bail in case bearing FIR No. 90 dated 24.05.2022 under Sections 308, 325, 323, 341, 506, 120-B, 34 IPC, registered at Police Station Bhikhi, District Mansa.

Custody certificate has been taken on record.

Briefly, the FIR has been registered on the allegations that on 24.05.2022, unknown persons had inflicted injuries by means of iron rod on the person of the complainant.

Learned counsel for the petitioner contends that the petitioner has been nominated on the basis of the supplementary statement of the complainant that has been recorded on 23.09.2022 after a lapse of period of about 4 months. Even the co-accused Amritpal Singh has been granted pre-arrest bail by this Court. Besides, Hardeep Singh @ Goldy, co-accused has been granted interim bail by this Court in terms of the order dated 17.11.2022 passed in CRM-M-53073-2022. No specific injury has been

attributed to the petitioner. There are false and vague allegations against the petitioner. Furthermore, the petitioner has been implicated on account of old enmity between Amritpal Singh, co-accused and the complainant. At the earlier instance, an FIR was registered by Amritpal Singh, co-accused against the complainant in the year 2015. The complainant was convicted in the said case and the appeal is pending in the Court of Sessions. Besides, Inderjit Singh, the brother of the complainant has also instituted a complaint against Amritpal Singh, co-accused. Furthermore, the injured has been discharged from the hospital and is hale and hearty. The petitioner is in custody for a period of 3 months and 14 days. Though he is involved in another case under Section 382 read with Section 34 IPC but is on bail in that case. The investigation of the case is complete and the challan has been presented in the Court.

Learned State counsel has opposed the bail application on the score that charge is yet to be framed and there are serious allegations levelled against the petitioner.

It is significant to note that the petitioner has been nominated as an accused in the instant case after a lapse of period of about 4 months. No specific injury has been attributed to the petitioner. The injured has been discharged from the hospital, two of the co-accused have been granted anticipatory bail/interim bail by this Court. Recovery of an iron rod is stated to have been effected from the petitioner. The investigation of the case is complete and the challan has been presented in the Court. The conclusion of trial is likely to take some time and no fruitful purpose would be served by detaining the petitioner in further custody.

As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing fresh bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

09.01.2023

Janki

(VIVEK PURI)
JUDGE

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