

CRM-M-2280-2024

-1-

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

201

CRM-M-2280-2024
Date of decision: 14.10.2024

Manjit Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Sunny Saggar, Advocate, for the petitioner.

Ms. Niharika Sharma, AAG, Punjab.

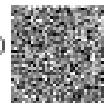
Mr. Vikas Gupta, Advocate,
for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973, for grant of regular bail to the petitioner in case FIR No.71 dated 28.05.2021, registered under Sections 307, 506, 148, 149 of the Indian Penal Code, Section 302 IPC added later on 10.06.2021 vide DDR No.21, Sections 212, 323, 452 IPC added later on vide DDR No.20/22/21 dated 14.06.2021, 11.07.2021, 10.06.2021, at Police Station Shirhali, District Tarn Taran.

2. This FIR was registered at the instance of one Gurmeet Singh son of Mann Singh son of Narinder Singh, resident of Shingarpur, alleging that on 28.05.2021 at around 9.30 AM, he along with his younger brother Kuldeep Singh aged 30 years, were going to their house on motorcycle from

Bethak of Ex-Sarpanch Swaran Singh son of Gurdeep Singh, resident of

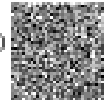


CRM-M-2280-2024

-2-

Shingarpur and when they reached in front of the gate of their house, then Gurjant Singh son of Sukhdev Singh armed with daang, Gurvinder Singh son of Savinder Singh armed with Daang, Rashpal Singh son of Sukhdev Singh armed with rifle 12 DBBL, Angrej Singh son of Desa Singh armed with Daang, Manjit Singh son of Santokh Singh armed with Daang, Jaswinder Singh son of Jagir Singh armed with kirpan, Daler Singh son of Samma Singh armed with daang, Sukhchain Singh son of Desa Singh armed with daang, Japsimran Singh son of Avtar Singh armed with daang, Desa Singh son of Ajit Singh armed with daang, Savinder Singh son of Ajit Singh armed with daang, Sukhdev Singh son of Ajit Singh armed with daang, Gurvinder Singh son of Jaswinder Singh armed with daang, Gurpreet Singh son of Dilbag Singh armed with daang, residents of Shingarpur were already standing there and on seeing them, Rashpal Singh raised a lalkara and then with intention to kill, Gurvinder Singh son of Savinder Singh was alleged to have given a blow of his daang to Kuldeep Singh along with other accused. As a result, Kuldeep Singh had died.

Learned counsel for the petitioner contends that the petitioner does not have any criminal antecedents. He has already undergone an actual sentence of two years and four months. He further contends that only one witness i.e. complainant has been examined in the present case and seven other co-accused have been granted the concession of bail. He further contends that daang blow is attributed to the petitioner. However, no daang has been recovered during the course of investigation. He submits that there are various disputed questions of fact that are involved including the false implication of the petitioner and the trial would take time to conclude.



CRM-M-2280-2024

-3-

Learned State counsel assisted by learned counsel for the complainant contends that the deceased had suffered a wound of 40 cm on the head and the second injury is on right side of parietal region of head. The co-accused, who were granted bail, were not attributed any head injury. It is, however, not disputed that only one witness i.e. complainant has been examined. Learned State counsel as well as counsel for the complainant has not disputed that the petitioner does not have any criminal antecedents.

Taking into consideration, the antecedents of the petitioner, the stage of trial, the period of custody already undergone and also no recovery was effected from the petitioner coupled with the age of the petitioner, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

OCTOBER 14, 2024*monika***(VINOD S. BHARDWAJ)
JUDGE**

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