

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 5165 of 2024 (O&M)
Date of Decision: 07.02.2024

Mangu Ram alias Mangu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Tanvir S. Grewal, Advocate
for the petitioner.

Mr. Gurlal Singh Dhillon, Assistant Advocate General, Punjab

Mr. Gurpreet Jayia, Advocate for
Mr. Jagdish Manchanda, Advocate
for the complainant.

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition filed under Section 439 Cr.P.C., seeks grant of regular bail pending trial in case bearing FIR No. 99 dated 07.10.2023, under Sections 323, 324, 326, 341, 506, 148 & 149 of IPC (Section 326 of IPC added later on), registered at Police Station Ghanaur, District Patiala, wherein the petitioner has been implicated for having given *gandasi* blow on the right arm of the victim-injured/complainant, namely, Sant Singh.

[2] Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case while he is in custody since 24.11.2023. He further submits that complainant has

compromised the matter with the petitioner and the petitioner is not involved in any other case; thus, prayer is for grant of regular bail to the petitioner.

[3] On the other hand, learned State vehemently opposes the prayer for grant of regular bail to the petitioner while referring to the nature of injuries inflicted upon the victim besides the manner in which the incident took place.

[4] I have heard learned counsel for the parties and gone through the paper-book. I find substance in the submissions made by learned counsel for the petitioner.

[5] In the present case, the petitioner is already behind the bars for the past almost two and half months and the injury attributed to the petitioner is on the non-vital part of the victim, who got discharged from the hospital within a short span of time. Moreover, the parties belong to same village and a perusal of the FIR shows that occurrence took place on the spur of moment and it was never pre-planned. Also, the petitioner is not involved in any other case, besides he has already entered into a settlement with the intervention of respectables and this fact has also not been disputed by the learned counsel for complainant. Thus, considering the aforesaid facts, I do not find any justification to extend the incarceration of the petitioner.

[6] In view of the above, but without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition

is **allowed** and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the Trial Court / Illaqa Magistrate / Duty Magistrate concerned.

[7] It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

February 07, 2024
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(HARKESH MANUJA)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>