



CRM-M-428-2025

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

CRM-M-428-2025

Reserved on: 25th February, 2025Pronounced on: 4th March, 2025

Maanga @ Mehnga Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Madan Sandhu, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 122 dated 14.06.2020 registered under Sections 307, 323, 324, 341, 506, 148 and 149 of IPC at Police Station Kotwali, District Kapurthala.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR had been registered on the basis of statement recorded by the complainant Balwant Singh on 14.06.2020 alleging therein that on the same day at about 8:30-9:00 AM, his brother Kulwant Singh had gone to village Hamidi for some work. Sometime, thereafter, he received information that the petitioner along with the co-accused had caused injuries to his brother and he was lying unconscious in



front of house of one Kashmir Singh, resident of village Boot. On receipt of this information, he rushed towards the spot and took his brother to Civil Hospital, Kapurthala. The complainant then came back home. His brother Makhan Singh who too had gone to do his labour work to some other village had also received information regarding the incident and came back home. At about 10:30 AM, both the complainant and Makhan Singh stepped out his house to give information about the incident to the police, they were intercepted by the present petitioner and co-accused Harjeet Singh, Bobby, Nirbhail Singh, Billa, Babbu, Rani and Raj Kaur. Most of them were armed with weapons. They started hurling abuses to his brother. They made an exhortation to teach a lesson to the complainant and Makhan Singh as well and then all of them started assaulting the complainant and his brother. The petitioner struck a blow on the left hand of the victim. The co-accused also caused injuries to him. They also caused injuries to him due to which he fell down. Rescue alarm raised by them, attracted the neighbourers to rush towards the spot and then the assailants fled away. The complainant and his brother Makhan were also taken to the hospital. The motive attributed to the accused was that the female members of their family used to hurl abuses to the women folk of the family of the complainant and quarrels used to take place due to that reason. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested and is in custody since 18.06.2020. Investigation stands concluded.

3. It has been argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 18.06.2020. The only injury that has been attributed to him is on the left hand of the



victim-injured Makhan Singh. That injury has not been opined to be dangerous to life. The co-accused Rani, Jaspal Singh @ Billa and Nirbhay Singh have since been extended benefit of bail. On parity, he too deserves to be released on bail. Material witnesses already stand examined. Trial is likely to take time. His further incarceration would not serve any useful purpose. Therefore, it is urged that he deserves to be released on bail.

4. Status report had been filed by respondent-State. It has been argued by learned Assistant Advocate General, Punjab that both the victims namely Makhan Singh and Kulwant Singh had sustained injuries two of the injuries on the person of injured Kulwant Singh had been declared to be dangerous to life and three injuries on the person of injured Makhan Singh were declared to be so. Trial is going on at a proper pace. There are chances of petitioner's absconding, if extended benefit of bail. Therefore, it has been argued that the petition does not deserve to be allowed.

5. Learned counsel for the parties have been heard at considerable length and have gone through the record carefully.

6. The petitioner along with the co-accused is alleged to have formed membership of an unlawful assembly and in prosecution of common object of that unlawful assembly, they are alleged to have caused simple as well as grievous injuries to the victims Kulwant Singh and Makhan Singh. Some of these injuries had been even declared dangerous to life. However, material witnesses have since been examined. The petitioner is in custody since 18.06.2020. He does not have any criminal antecedents. There are no chances of his intimidating the witnesses. The injuries which have been opined to be dangerous to lives of the victims have not been attributed to



him. Keeping in view all these facts, but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

4th March, 2025
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |