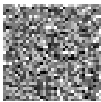


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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7542-2025
DECIDED ON: 10.02.2025

MANPREET SINGH ALIAS MANI

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Ankit Kharbanda, Advocate and
Mr. Anirudh Gupta, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.86, dated 05.07.2024, under Sections 117(2), 115(2), 118(1), 126(2), 351(2), 3(5) of BNS, 2023, registered at Police Station Dugri, Ludhiana (Annexure P-1).

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Statement of Deepak Kumar son of Late Kasturi Lal, resident of House No. 177/137, near Gurudwara Damdama Sahib, Village Dugri, Ludhiana, aged about 46 years, stated that I am resident of above said address and I am working as a Carpenter. That nearly about 3 months ago, I have gave Rs. 5,400/- in cash as a loan to Kuchi, brother of Simranjeet Singh @ Bhuppa, to whom I asked to return back the money, then Kuchi said that he has given my Rs. 5,400/- back through Paytm, who by sending me a fake message on 13.04.2024, claiming the payment of Rs. 5,400/- through his Mobile No.

8847043023 on my Mobile Number 8054224122, to whom I informed that I did not receive the payment in my account, upon which he said that the payment would be credited in my account later. However, I have not received any amount in my account. That on 29.06.2024, at about 09:30 PM Kuchi, Mani Lamba, Lucky son of Babbi, Manpreet @ Manni son of Balwinder Singh and Ruta resident of CRPF Colony, meet me on Itta Wali Gali, near Petrol Pump and when I asked Kuchi about my money, they all started abusing me and surrounded me and started beating me. Manpreet Singh @ Manni gave iron rod blow which he was holding in his hand on my right leg, Lucky son of Babbi gave his kirpan blow on my waist and on my right hand and all other gave beating to me. That after giving beating to me, they took me, along with themselves and threw me outside, Bagga Hospital, Phase-1, Dugri, while giving threats to kill me and in the meantime my mother Geeta Rani and my sister Renu Bala also came there and took care of me and tried to get me admitted at Bagga Hospital, for treatment but the hospital persons said that they do not have Doctor with them and then my sister Renu Bala and my mother Geeta Rani took me to Civil Hospital, Ludhiana for treatment, where doctor treated my wounds and wrote the MLR and admitted me. That on 30.06.2024, I was referred to PGI, Chandigarh, but my relatives admitted me to Krishna Charitable Hospital, Model Town, Ludhiana for treatment, who after treatment, discharged me. That the bone of contention is that Kuchi has not returned back the money, which I had lent to him, due to this reason, all above gave beatings to me and they also threw glass bottles outside my house. That till now talks of compromise were going on, which did not succeed. Today, I, have recorded my statement with you, heard and found to be correct. Legal action be taken. Sd/- Deepak Kumar, attested SI Sukhdev Singh, PS Dugri, Ludhiana. Dated 05-07-2024.”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that there is an unexplained delay of six days in lodging the FIR, as the alleged incident occurred on 29.06.2024, whereas the FIR was registered on 05.07.2024. He further submits that, according to the FIR, co-accused Jaswinder Singh @ Lucky inflicted injury with kirpan on the waist and right hand of the complainant, while the

non-vital part of the body. The attention of this Court has been drawn to an order dated 10.12.2024 (Annexure P-2) passed by a co-ordinate Bench of this Court in CRM-M-50746-2024 vide which similarly situated co-accused namely Jaswinder Singh @ Lucky has already been granted the concession of pre-arrest bail.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Jaspal Singh Guru, AAG Punjab, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that the petitioner has caused injuries to the complainant, therefore, his custodial interrogation is required.

4. **Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially to the fact that the injury attributed to the petitioner is on non-vital part of the body and similarly situated co-accused has already been granted the concession of bail, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Decision**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the

terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

10.02.2025

Meenu

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