



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

329

CRM-M-19741-2025

Date of decision: 8<sup>th</sup> May, 2025

Maninder Singh @ Manjinder Singh @ Mani

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Deepak Verma, Advocate for the petitioner.

Mr. Vivek Sharma, Assistant Advocate General, Punjab.

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**MANISHA BATRA, J (ORAL):-**

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. 131 dated 20.08.2024 registered under Sections 115(2), 118(1), 118(2), 109, 191(3), 190, 333 and 324(4) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 118(2) of BNS added later on vide GDD No. 14 dated 03.10.2024 at Police Station Garhshankar, District Hoshiarpur.

2. As per the allegations, on the night of 18.08.2024, the complainant Sukhjeet Singh and his Manager Amir Gogi, were sleeping in his poultry farm taken by him on rent from one Harjinder Singh about one month back, when they heard sounds of some vehicles reaching at the gate of poultry farm. Two persons scaled the wall of the poultry farm. The



complainant identified them as petitioner-Maininder Singh @ Manjinder Singh and Happy son of Amrik Singh. They were armed with swords. They opened the gate after scaling over the wall and then 12-13 persons with muffled faces barged inside the poultry farm being armed with weapons. The petitioner and co-accused Happy made an exhortation for teaching a lesson to the complainant and opened an assault upon him. The petitioner struck a blow with *kirpan* thereby hitting his head, whereas, the remaining started assaulting him with their respective weapons thereby causing several injuries on his person. His Manager rushed for his rescue but he too sustained injuries at the hands of co-accused Happy. On clamour being raised by them, the assailants fled from the spot while damaging the motorbike of the complainant. Information was given to father of the complainant who took him to hospital. On his statement, the aforementioned FIR was registered. Investigation proceedings were initiated. The complainant recorded a supplementary statement, wherein he named some other co-accused. The petitioner was arrested on 05.09.2024. Investigation has since been completed and the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There are general and vague allegations against him. There is delay of two days in lodging of the FIR. No specific act has been attributed to him. Most of the injuries as sustained by the complainant including head injury have been opined to be simple in nature. The allegations against him are that he had made an exhortation. It is a case of version and cross-version as a complaint had been lodged by the



petitioner on the basis of which a *kalendra* was prepared. The injury which has been attributed to him has been opined to be simple in nature. He is in custody since long. His further incarceration is not going to be of any use. He does not have any criminal antecedents. Therefore, it is urged that he deserves to be extended benefit of bail.

4. *Per contra*, it is argued by learned Assistant Advocate General, Punjab, that there are serious and specific allegations against the petitioner who was the main aggressor and who after scaling over the wall of poultry farm of the complainant had made an exhortation by forming a membership of an unlawful assembly with the co-accused and then the victim had been assaulted. He had sustained as many as 34 injuries which have been opined to be dangerous to life collectively. The allegations against him are grave in nature. There are chances of petitioner's intimidating the witnesses, since the material witnesses have not been examined. Therefore, it is urged he does not deserve to be extended benefit of bail.

5. This Court has heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner by forming membership of an unlawful assembly with the co-accused and in prosecution of common object of that assembly, is alleged to have criminally trespassed into the farm house of the complainant on the fateful night and is alleged to have caused simple as well as grievous injuries to the complainant. The injury which has been attributed to the petitioner has been opined to be simple in nature, though, as per the medico legal report, the victim had sustained as many as 34 injuries in the incident and all of them were dangerous to life collectively. The petitioner is



in custody since 05.09.2024. Trial will take considerable time to conclude since no witness has been examined so far. There is no basis for the contention that the petitioner will intimidate the witnesses. It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the above discussed facts but without meaning to make any comment on the merits of the case, this Court is of the opinion that the petitioner makes out a case for release on bail at this stage. Accordingly, the petition 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**

**8<sup>th</sup> May, 2025**

*Parveen Sharma*

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