

2025:PHHC:057570



217.

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

CRM-M-22451-2025

Date of decision: 02.05.2025

Manga Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Kavinder Singh Chhibber, Advocate, for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in this petition filed under Section 483 of BNSS, is for grant of regular bail to the petitioner in case FIR No.160, dated 11.11.2024, under Sections 304, 126, 115, 3(5), 109, 61(2), 111, 238, 317(2) of BNS, registered at Police Station City Sunam, District Sangrur.

2. Learned counsel for the petitioner submits that the FIR (Annexure P-1) was registered against some unknown assailants, who came and waylaid the injured, Ravi Singh, on the fateful day; after inflicting multiple injuries on his person with iron rods, the alleged assailants fled away with the mobile handset and the motorcycle of the injured. Following the occurrence, the injured was rendered unconscious. However, when he regained consciousness, he telephoned one of his neighbours, who then got him admitted to the hospital and it was only thereafter, that the FIR in

question was registered. Learned counsel has submitted that firstly, there is a delay in the lodging of the FIR and furthermore, the petitioner has been nominated as an accused in the present case on the statement made by brother of the victim/complainant, who is admittedly not even a witness to the occurrence, nor is it the case of the prosecution that he was accompanying his brother at the relevant time. It has been submitted that the petitioner has no previous criminal antecedents, which further lends credence to his false implication in the present case. It has also been asserted that it does not appeal to prudence as to how the brother of the deceased could have raised suspicion qua the involvement of the petitioner in the crime in question more so when the injured/victim had not even given out the physical features of the alleged assailants while getting the FIR in question registered and furthermore, when, even as per the case of the injured complainant, the alleged assailants had come to the spot with muffled faces. Learned counsel has submitted that the investigation in the present case is complete and challan stands presented, however, charges have not yet been framed. Therefore, the possibility of the trial concluding in the near future does not arise, more so when as many as 19 prosecution witnesses have been cited in the present case.

3. *Per contra*, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, on instructions from ASI Raghveer Singh, has not been able to dispute the custody period of the petitioner and even the stage of the trial. However, it has been asserted by

the learned State counsel, on instructions, that after 04 days of the alleged occurrence, the brother of the injured complainant made a statement before the police that he had enquired from his “own sources” and had gathered information that the crime in question had been executed by the petitioner.

4. On a pointed query put to learned State counsel as to whether the injured victim had given out the details of the alleged assailants, including his physical features, he, on instructions, has replied in the negative and has conceded that even as per the case of the prosecution, the alleged assailants had come to the spot with muffled faces.

5. On a further query, it has not been disputed that the petitioner has no previous criminal antecedents.

6. I have heard learned counsel for the parties and perused the material placed on record.

7. The petitioner has been in custody since 14.11.2024. He is not stated to be involved in any other criminal case, much less a case of similar nature. The trial is unlikely to conclude in the near future.

8. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

9. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

10. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

(MANJARI NEHRU KAUL)
JUDGE

May 02, 2025
sanjeev

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