



CRM-M-45986-2025

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

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CRM-M-45986-2025

Manpreet Singh @ Manna

...Petitioner

V/s

State of Punjab

...Respondent

Date of decision: 11.02.2026**Date of Uploading : 11.02.2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Pardeep Kumar, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG Punjab.

SUMEET GOEL, J. (Oral)

1. Present petition has been filed under Section 483 of the BNSS, 2023 seeking grant of regular bail to the petitioner in case bearing FIR No.153 dated 11.09.2019, registered for the offences punishable under Sections 326/323/324/34 of IPC (Section 307 IPC added later on) at Police Station Sadar Faridkot, District Mansa.

2. The gravamen of the FIR in question reflects that on 10.09.2019 at about 07:30 PM, the complainant Vishal Singh, a student of 10+2 class, alongwith his uncle Kulwinder Singh was proceedings towards the main road to eat water balls (gol gappa) when they were intercepted by the petitioner Manpreet Singh @ Manna and his co-accused namely Satnam Singh, Gora Singh and Mohinder Singh all armed with sharp edged weapons. It has been further alleged that the petitioner raised a *lalkara* exhorting his co-accused not to let the complainant escape and to teach him

a lesson over a previous quarrel. Thereafter, the petitioner, who was armed



with a *khanda* (sword like weapon), inflicted a blow on the right side of the neck of the complainant and thereafter delivered another blow on his left hand. The co-accused also inflicted multiple injuries with swords, gandasi and spear like weapons on various parts of the body of the complainant. When Kulwinder Singh intervened to rescue the complainant, he too was assaulted. The medical evidence reflects multiple sharp injuries on the body of the complainant, out of which injuries No.2, 3 and 4 were subsequently declared grievous in nature. Consequently, Section 326 IPC was added and during trial proceedings, charge under Section 307 IPC was also incorporated. The weapon of offence allegedly used by the petitioner was recovered during investigation. As per prosecution, final report under Section 173 Cr.P.C. has been presented and 21 prosecution witness have been cited.

3. Learned counsel for the petitioner has iterated that the petitioner has been falsely implicated into the FIR in question on account of previous enmity arising out of a minor quarrel that allegedly took place a few days prior to the occurrence. Learned counsel has further iterated that the case in hand is based upon a concocted version and the petitioner has been roped in with an intention to harass him. Learned counsel has emphasized that the petitioner was initially arrested in November 2019 and was granted the concession of regular bail by the learned Additional Sessions Judge, Faridkot vide order dated 27.01.2020. Thereafter, the petitioner remained on bail for a considerable period and has been regularly appearing before the Court below except on 01.12.2023 which was neither deliberate nor intentional but on account of the admission of the petitioner



in a de-addiction centre. According to learned counsel, the petitioner was in custody since 28.06.2024 and the trial has not made any substantial progress. Although the challan has been presented and as many as 21 prosecution witnesses have been cited and not even a single prosecution witness has been examined till date. Learned counsel has further submitted that since the conclusion of trial is likely to take considerable time, thus, no useful purpose would be served for continued incarceration of the petitioner. Furthermore, all the prosecution witnesses are interested witnesses, being closely related to the complainant and, therefore, there is no likelihood of the petitioner influencing them. On the strength of aforesaid submission, the grant of petition in hand is entreated for.

4. *Per contra*, learned State counsel has vehemently opposed the grant of bail to the petitioner by arguing that the petitioner is the main assailant and played an active role in the commission of the offence in question. Learned State counsel has iterated that as per the statement of the complainant, the petitioner was armed with a *Khanda*, raised a *lalkara* and inflicted repeated blows on vital parts of the body, including the neck and hand of the complainant. Furthermore, the ocular version of the complainant is duly corroborated by the medical evidence. As per MLR, multiple injuries, out of which injuries No.2, 3 and 4 have been declared grievous in nature. Learned State counsel has emphasized that the petitioner was earlier granted the concession of regular bail on 27.01.2020, however, he deliberately absented himself from the trial proceedings on 01.12.2023. Despite issuance of non-bailable warrants, his presence could not be secured and ultimately proceedings under Section 82 Cr.PC. were initiated. Learned



State counsel has further pointed out that the petitioner is involved in two other criminal cases, including one under Section 307 IPC, which are pending trial. In view of the nature of the allegations, the gravity of the offence and the specific role attributed to the petitioner, learned State counsel has prayed for the dismissal of the instant petition.

5. I have heard learned counsel for the rival parties and have perused the available record.

6. The grant of bail falls within the discretionary domain of the court; however, such discretion must be exercised in a judicious and principled manner, ensuring it aligns with established legal precedents and the interests of justice. While considering a bail application, the Court must evaluate factors such as the existence of *prima facie* evidence implicating the accused, the nature and gravity of the alleged offence and the severity of the likely sentence upon conviction. The Court must also assess the likelihood of the accused absconding or evading the due process of law, the probability of the offence being repeated and any reasonable apprehension of the accused tampering with evidence or influencing witnesses. Additionally, the character, antecedents, financial means, societal standing, and overall conduct of the accused play a crucial role. Furthermore, the Court must weigh the potential danger of bail undermining the administration of justice or thwarting its due course. A profitable reference in this regard is made to the judgment passed by the Hon'ble Supreme Court titled as ***State through C.B.I. vs. Amaramani Tripathi, 2005 AIR Supreme Court 3490***, relevant whereof reads as under:

“14. It is well settled that the matters to be considered in an application for bail are (i) whether there is any *prima facie* or reasonable ground to



*believe that the accused had committed the offence; (ii) nature and gravity of the charge; (iii) severity of the punishment in the event of conviction; (iv) danger of accused absconding or fleeing if released on bail; (v) character, behaviour, means, position and standing of the accused; (vi) likelihood of the offence being repeated; (vii) reasonable apprehension of the witnesses being tampered with; and (viii) danger, of course, of justice being thwarted by grant of bail (see **Prahlad Singh Bhati v. NCT, Delhi, 2001(2) RCR (Criminal) 377 (SC) :2001(4) SCC 280 and Gurcharan Singh v. State (Delhi Administration), AIR 1978 Supreme Court 179**). While a vague allegation that accused may tamper with the evidence or witnesses may not be a ground to refuse bail, if the accused is of such character that his mere presence at large would intimidate the witnesses or if there is material to show that he will use his liberty to subvert justice or tamper with the evidence, then bail will be refused. We may also refer to the following principles relating to grant or refusal of bail stated in **Kalyan Chandra Sarkar v. Rajesh Ranjan, 2004(2) RCR (Criminal) 254 (SC) :2004(7) SCC 528** : "The law in regard to grant or refusal of bail is very well settled. The court granting bail should exercise its discretion in a judicious manner and not as a matter of course. Though at the stage of granting bail a detailed examination of evidence and elaborate documentation of the merit of the case need not be undertaken, there is a need to indicate in such orders reasons for prima facie concluding why bail was being granted particularly where the accused is charged of having committed a serious offence. Any order devoid of such reasons would suffer from non-application of mind. It is also necessary for the court granting bail to consider among other circumstances, the following factors also before granting bail; they are:*

- a. The nature of accusation and the severity of punishment in case of conviction and the nature of supporting evidence.*
- b. Reasonable apprehension of tampering with the witness or apprehension of threat to the complainant.*
- c. Prima facie satisfaction of the **court** in support of the charge. (see **Ram Govind Upadhyay v. Sudarshan Singh, 2002(2) RCR (Criminal) 250 (SC) : 2002(3) SCC 598 and Puran v. Ram Bilas, 2001(2) RCR (Criminal) 801 (SC) : 2001(6) SCC 338.**"*

This Court also in specific terms held that :

*"the condition laid down under section 437(1)(i) is sine qua non for granting bail even under section 439 of the Code. In the impugned order it is noticed that the High **Court** has given the period of incarceration*



already undergone by the accused and the unlikelihood of trial concluding in the near future as grounds sufficient to enlarge the accused on bail, in spite of the fact that the accused stands charged of offences punishable with life imprisonment or even death penalty. In such cases, in our opinion, the mere fact that the accused has undergone certain period of incarceration (three years in this case) by itself would not entitle the accused to being enlarged on bail, nor the fact that the trial is not likely to be concluded in the near future either by itself or coupled with the period of incarceration would be sufficient for enlarging the appellant on bail when the gravity of the offence alleged is severe and there are allegations of tampering with the witnesses by the accused during the period he was on bail."

In Panchanan Mishra v. Digambar Mishra, 2005(1) Apex Criminal 319 : 2005(1) RCR(Criminal) 712 (SC) : 2005(3) SCC 143, this Court observed :

"The object underlying the cancellation of bail is to protect the fair trial and secure justice being done to the society by preventing the accused who is set at liberty by the bail order from tampering with the evidence in the heinous crime..... It hardly requires to be stated that once a person is released on bail in serious criminal cases where the punishment is quite stringent and deterrent, the accused in order to get away from the clutches of the same indulge in various activities like tampering with the prosecution witnesses, threatening the family members of the deceased victim and also create problems of law and order situation."

7. Indubitably, the allegations against the petitioner are grave in nature. The material which has come on record, at this stage, *prima facie* suggests that the petitioner specially attributed an active role in the occurrence. As per the prosecution version, the petitioner not only raised a *lalkara* exhorting his co-accused but also inflicted repeated blows with a sharp edged weapon on vital parts of the body of the complainant. The role assigned to the petitioner is not general or omnibus. The petitioner is alleged to have caused injuries on the neck and hand of the complainant



corroborated by the medical evidence. The Medico Legal Report reflects multiple sharp injuries out of which certain injuries have been declared grievous. Initially, the case was registered under Sections 324/323/34 IPC. However, after receipt of medical opinion, Section 326 IPC was added and subsequently during trial proceedings, charge under Section 307 IPC was also incorporated. In the considered opinion of this Court, the addition of these serious offences reflects the gravity of the assault. During the course of investigation, the weapon allegedly used by the petitioner was recovered and taken into police possession which connects the petitioner with the commission of the offence. It is also a matter of record that the complainant/injured Vishal Singh and injured witness Kulwinder Singh, who are the star witnesses of the prosecution, have not yet been examined before the Court below. Their testimonies are crucial to determine and establishing the role attributed to each of the accused. Considering the fact that both the injured witnesses are yet to depose as also the earlier conduct of the petitioner, this Court is of the considered view that releasing the petitioner on bail at this juncture may adversely affect the progress of the trial.

8. The allegations leveled against the petitioner are grave and specific which clearly indicate his active participation in the commission of the crime. In the considered opinion of this Court the very magnitude and seriousness of the crime, disentitle the petitioner to the discretionary relief of bail. In the considered opinion of this Court, at this stage, no accentuating circumstances have been made which may *prima facie* constitute a compelling ground for the grant of regular bail to the petitioner, especially



in light of the gravity of the allegations and the evidence on record. It is also to be borne in mind that offences of this nature strike at the very root of public order and societal conscience. Granting bail in such cases would not only undermine the gravity of the offence but may also embolden the accused. Further, there exists a strong likelihood that if enlarged on bail the petitioner may abscond to evade trial or attempt to influence, threaten, or intimidate prosecution witnesses particularly in light of his previous conduct of evading trial and being declared a proclaimed person. Furthermore, the petitioner was earlier granted the concession of regular bail by the Court below. However, he absented himself from the trial proceedings resulting in cancellation of his bail bonds and issuance of non-bailable warrants. Ultimately, he was declared a Proclaimed Person under Section 82 Cr.P.C. The petitioner is stated to be involved in two other criminal cases, including one under Section 307 IPC. Though involvement in other cases by itself may not be a conclusive factor but it is indeed relevant factor while considering the plea for regular bail particularly considering the magnitude and seriousness of the crime.

9. Considering the gravity of the offence, the specific role attributed to the petitioner, the corroborative medical evidence, criminal antecedents and the prior misuse of bail, this Court finds no merit in the present petition. Accordingly, this Court is of the considered opinion that the petitioner does not deserve the concession of regular bail.

10. In view of the *prevenient ratiocination*, it is ordained thus:

(i) The petition in hand is devoid of merits and is hereby dismissed.



- (ii) Any observations made and/or submissions noted hereinabove shall not have any effect on merits of the case and the investigating agency as also the trial Court shall proceed further, in accordance with law, without being influenced with this order.
- (iii) Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

February 11, 2026
Ajay

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