

Sahil @ Sahil Singh Manhas V. State of Punjab

Present: Mr. Abhishek Thakur, Advocate, for the petitioner.

Mr. Sanish Girdhar, AAG, Punjab

This petition has been filed under Section 438 Cr.P.C seeking the concession of bail apprehending arrest in case FIR No.33, dated 22.02.2023 under Sections 365, 323, 324, 506, 148, 149 IPC, registered at Police Station Division No.2, District Pathankot.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case as no offence under Section 365 IPC is made out against the petitioner. It is further submitted that the FIR was lodged on 22.02.2023, whereas the occurrence is alleged to have taken place on 01.02.2023 and there is unexplained delay of 20 days in registration of the FIR. The petitioner is not stated to be having any weapon and the injury attributed to him cannot be believed as the complainant complained of pain and swelling, whereas it is alleged that he had received a *datar* blow on his hand but the same does not find mention in the MLR.

It is also submitted that the co-accused of the petitioner who is alleged to have given a *datar* blow on the hand of the complainant, is already before this Court, wherein his arrest has been stayed.

Notice of motion.

Mr. Sanish Girdhar, AAG, Punjab, accepts notice on behalf of the respondent-State and waives service.

On instructions from ASI Naresh Kumar, he does not dispute the injury attributed to the petitioner. He seeks time to file reply/status

report.

List on 10.08.2023.

In the meanwhile, arrest of the petitioner shall remain stayed till the next date.

(VIKAS SURI)
JUDGE

July 20, 2023
vcgarg