

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-23043 of 2016 (O&M)

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Date of decision:21.11.2016

Manjit Singh alias Sabu

...Petitioner

v.

State of Punjab

...Respondent

....

**Coram: Hon'ble Mr. Justice Inderjit Singh**

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Present: Mr. B.S. Baath, Advocate for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab for the  
respondent-State.

Mr. Mansur Ali, Advocate for the complainant.

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**Inderjit Singh, J.**

The petitioner has filed this petition under Section 439 Cr.P.C.  
for grant of regular bail in case FIR No.102 dated 5.12.2013 registered for  
the offences under Sections 302, 102-B, 148 and 149 IPC and Section 25 of  
the Arms Act at Police Station Fatehgarh Churian, District Gurdaspur.

Notice of motion.

Ms. Shivali, learned Assistant Advocate General, Punjab has  
put in appearance on behalf of the respondent-State and Mr. Mansur Ali,  
Advocate has appeared on behalf of the complainant and contested this  
petition.

I have heard learned counsel for the parties and learned

Assistant Advocate General, Punjab appearing for the respondent-State and have gone through the record.

From the record, I find that the FIR in the present case has been registered on the statement of Gurvir Singh. As per the allegations, the petitioner is not named in the FIR, but Salwant PW has nominated the accused-petitioner. There are three more FIRs against the petitioner. As per the allegations in the FIR, four persons came there on two different motorcycles outside the shop. They had stopped their motorcycles in front of their shop, then the complainant had seen that Narinder Singh armed with weapon, Sarabjit Singh and two unidentified persons came at the gate of the shop, Sarabjit Singh raised 'Lalkara' and said teach them a lesson for cutting the mango trees, then Narinder Singh fired a shot from his weapon with the intention to kill the father of the complainant. His father bent down and the gun shot hit the mirror of the shop. Meanwhile, Sarabjit Singh and two unidentified persons caught hold of his father and Narinder Singh fired a shot with his weapon at his father, which hit on his chin and he fell down. It is also in the FIR that the complainant saved the life by hiding under the counter and raised noise.

Keeping in view the facts and circumstances of the present case, nature and gravity of the offences and the fact that only nine witnesses have been examined out of 21 and further there are three more FIRs against the present petitioner for commission of other offences, I do not find it a fit case where the present petitioner is entitled to the benefit of regular bail at this stage. If the bail is granted to the present petitioner, there is every

possibility that he will tamper with the evidence.

Therefore, finding no merit in this petition, the same is dismissed.

However, as the petitioner has been in custody since 22.4.2014 i.e. more than two years, the trial Court is directed to expedite the trial by giving short adjournments, if required, by day to day hearing. The Investigating Officer of this case is also directed to produce the remaining witnesses at the earliest before the trial Court.

November 21, 2016.

**(Inderjit Singh)**  
**Judge**

\*hsp\*

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| <b>NOTE:</b> | Whether speaking/reasoned: | Yes |
|              | Whether reportable:        | No  |