

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

CRM-M-34506-2016 (O&M)
Date of decision : 10.11.2016

Manpreet Singh @ Vicky @ Manjit

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Harpreet S. Rakhra, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by HC Sikander Singh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in FIR No.37 dated 25.02.2016, registered under Sections 382, 212, 216A and 411 read with Section 34 of the Indian Penal Code, and Section 25 of the Arms Act, at P.S. Nihal Singh Wala, Distt. Moga.

Contents that the petitioner was not arrested from the spot. The FIR was registered on 25.02.2016, whereas, the petitioner was taken into custody on 25.03.2016. The petitioner has been implicated in the instant case on the basis of disclosure statement of co-accused, Harjot Pal Singh. The bag containing the Indian and foreign currency notes and other documents was recovered from the co-accused. The recovery allegedly effected from the petitioner does not belong to the complainant. Further states that the petitioner was earlier falsely implicated in four FIRs, wherein, he has earned acquittal, as is apparent from the perusal of affidavit dated 10.11.2016 filed in the Court today. The petitioner is in custody since

ATUL SETHI
I attest to the accuracy and
authenticity of this document
Chandigarh

25.03.2016.

On the other hand, learned State counsel has opposed the instant petition. On instructions, learned State counsel submits that challan stands presented and charges framed. As many as nineteen witnesses have been cited by the prosecution.

Heard.

The petitioner is not named in the FIR. He is behind the bars since 25.03.2016. Though, he was involved in four more FIRs, but he stands acquitted in all those cases. Out of 19 prosecution witnesses, none has been examined so far, therefore, it can safely be inferred that the conclusion of the trial may take considerable time.

Keeping in view the above and without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

10.11.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No