

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-42260 of 2016
Date of Decision: 09.02.2017

Manmohan Singh @ Mani @ Sahbi

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Kushagra Mahajan, Advocate
for the petitioner.

Mr. Prateek Sodhi, Advocate
fro the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.403 dated 20.08.2016 registered for offences punishable under Sections 364, 364-A, 149 and 120-B of Indian Penal Code, at Police Station Civil Lines, District Amritsar.

Heard.

Notice of motion.

On asking of the court, Ms. Bhavna Gutpa, DAG, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

Learned counsel for the petitioner submits that the petitioner was driver of the taxi and he was directed by the owner to take passengers from one place to another place. There is no evidence of his connivance in the kidnapping of brother of the complainant.

Learned State counsel submits that the petitioner was apprehended alongwith other accused and custody of kidnapped person was recovered from the taxi which he was driving. The petitioner was arrested on 20.08.2016

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner- Manmohan Singh @ Mani @ Sahbi is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

February 09, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No