

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

CRM-M-13991 of 2020(O&M)

Date of Decision: 07.07.2020

Mangat Singh @ Girdhari

Petitioner.

Versus

State of Punjab

Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr.D.S.Gandhi, Advocate
for the petitioner.

Mr.Harbir Sandhu, AAG., Punjab.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Petitioner, seeks the concession of bail pending trial in FIR No.0004 dated 03.01.2020, under Sections 307, 506, 148, 149 IPC and Section 25/27 of the Arms Act, registered at Police Station Sadar Amritsar, District Amritsar.

It is submitted that the petitioner has been falsely implicated in this case. The petitioner is not even named in the FIR. He is sought to be inculpated at a later stage on the basis of a statement by Attinderpal Singh @ Honey recorded on 08.01.2020 i.e., 5 days after the registration of the FIR. Even as per the said statement of Attinderpal Singh @ Honey, attached as Annexure P-4, no specific or overt act has been attributed to the present petitioner. Active role, it is submitted is attributed to the co-accused, namely, Vaneet Pandit, Sandeep Singh Gattu and Sunny Bhadkillla. Learned counsel for the petitioner further submits that merely because the petitioner

has been falsely implicated in some other criminal matters, he is needlessly being involved in the present case, as well. Furthermore, similarly situated co-accused namely Sharanjit Singh @ Sharan and Vijay @ Vijay Nangali @ Vijay Bhalwan, have been afforded the concession of bail on 11.05.2020 in CRM-M-12075 of 2020 (Annexure P-2) and on 18.06.2020 in CRM-M-13958 of 2020. The petitioner, it is submitted is in custody since 07.02.2020 and final report under Section 173 Cr.P.C., stands presented. It is thus prayed that this petition be allowed.

Learned counsel for the respondent-State, while opposing this petition submits that the petitioner is involved in four other cases. However, it is not denied that the petitioner in the present case is not named in the FIR. The role attributed to the petitioner as per statement of Attinderpal Singh (Annexure P-4) is also not denied. Learned counsel for the respondent-State is unable to deny that the petitioner is identically situated as the accused namely Sharanjit Singh @ Sharan and Vijay @ Vijay Nangali @ Vijay Bhalwan. Final report under Section 173 Cr.P.C stands presented.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in Court, if released on bail. No useful purpose would be served by keeping the petitioner incarcerated any longer in the facts and circumstances of this case.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the

case, this petition filed by petitioner-Mangat Singh @ Girdhari is allowed. The petitioner be released on bail pending trial subject to his furnishing bail bonds and heavy surety to the satisfaction of the learned Trial Court/Duty Magistrate.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

07.07.2020

s.khan

[LISA GILL]

Judge

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