

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

1) CRM-M-18433 of 2020 (O&M)
Date of decision : 18.11.2020

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Mandeep Singh @ Mani

.....Petitioner

vs.

State of Punjab

.....Respondent

2) CRM-M-21048 of 2020 (O&M)

...

Sadik Mohammad @ Anda

.....Petitioner

vs.

State of Punjab

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Sandeep Arora, Advocate
for the petitioner (in CRM-M-18433-2020).

Mr. Umesh Sharma, Advocate
for the petitioner (in CRM-M-21048-2020)

Mr. J.S. Ghuman, Deputy Advocate General,
Punjab.

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H. S. Madaan, J.

Case taken up through video conferencing.

Vide this order, I intend to dispose of two petitions bearing

CRM-M-18433-2020 titled as 'Mandeep Singh @ Mani vs. State of

Punjab' and CRM-M-21048-2020 titled as 'Sadik Mohammad @

Anda vs. State of Punjab', as both these petitions have arisen out of the same FIR.

Both these petitions for grant of regular bail, have been filed by petitioners - Mandeep Singh, aged about 29 years, son of Late Mohinder Singh and Sadik Mohammad @ Anda, aged about 26 years son of Taj Mohammad, both residents of village Sataur, Police Station Haryana, District Hoshiarpur, being accused in FIR No. 39, dated 4.4.2020, for offences under Sections 379-B, 411, 34 IPC, registered at Police Station Haryana, District Hoshiarpur.

The criminal machinery in this case was set into motion by complainant Joginder Singh son of Gurbachan Dass, resident of village Bassi Umar Khan, P.S. Haryana, District Hoshiarpur, aged about 52 years, who in the statement made by him to the police, stated that on 3.4.2020, while he was returning from his Nursery, on his motorcycle, make Platina, bearing registration No. PB-07-AR-7261, then at about 1.40 P.M., when he had reached pucca road leading from village Chadial to village Baninsa Wali and he was 30 yards behind the T-point near Sataur, then he spotted two clean shaven persons coming on foot, who signalled him to stop and came in front of his motorcycle. The complainant stopped his motorcycle. Then those persons snatched a sum of Rs.1,500/- from his pocket besides his mobile Nokia 1600 and they gave him a push throwing him on the ground. Both the persons had taken away his motorcycle also, going towards village Chadial. The complainant had identified those culprits as Mandeep Singh @ Mani son of Mohinder Singh and

the other person having nick name Anda, both belonging to village Sataur. After registration of the FIR, investigation in the case started.

Both the accused, i.e. Mandeep Singh @ Mani and Sadik Mohammad @ Anda, were arrested in this case on 4.4.2020. The snatched motorcycle and mobile – Nokia, were recovered from possession of the accused. On completion of investigation, both the accused were sent up to face trial.

They had moved applications for grant of regular bail in the Court of Sessions at Hoshiarpur, but could not get bail from there, as such they have approached this Court by filing two separate petitions, craving for similar relief. However, learned State counsel is opposing both the applications.

I have heard learned counsel for the petitioners, learned State counsel, besides going through the record.

Without going into detailed merits of the case, observing that the accused are in custody for a period of more than 7 months and the conclusion of trial against them, is likely to take considerable time, in light of the fact that both the petitioners-accused are not stated to be involved in any other criminal case, I find that both the petitions for grant of regular bail moved by them should be accepted.

Therefore, both the petitions are accepted. Petitioners-Mandeep Singh @ Mani and Sadik Mohammad @ Anda, are ordered to be released on bail on their furnishing bail bonds and surety bonds to the satisfaction of the trial Court/CJM/Duty

Magistrate, Hoshiarpur, subject to the following conditions :-

- i) they shall appear in the Court on each and every date of hearing;
- ii) they shall not give any threat or intimidation to the prosecution witnesses; and
- iii) they shall not leave India without prior permission of the Court and shall surrender their passport, if they have got one, otherwise to furnish affidavit in that regard.

It is further directed that both the petitioners shall get their presence marked at Police Station Haryana, District Hoshiarpur, on last Saturday of every month, between 10.00 A.M. To 12.00 noon and an entry in that regard be made in the DDR of the Police Station.

If they violate any of the above conditions, this order granting regular bail to them shall be liable to be withdrawn.

However, nothing discussed above shall have any bearing on the merits of the case.

18.11.2020
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(H.S. Madaan)
Judge

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No