

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-6641-2021 (O&M)
Date of Decision:-5.4.2021

Bhagat Singh @ Manga ... Petitioner

Versus

Union Territory, Chandigarh ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Samarth Sagar, Advocate for the petitioner.

Mr. Amit Kumar Goyal, AAP, U.T., Chandigarh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.287 dated 17.9.2020 at Police Station Sector 39, Chandigarh under Sections 385 and 506 of Indian Penal Code.
2. The FIR was lodged at the instance of Rahul Ghai, wherein it is alleged that on 12.9.2020 at about 8:15 p.m. when he alongwith his friend Manpreet were present at his shop, then a boy of their village came to his shop and threatened him that he is a 'Badmash' of the village and demanded ₹20,000/- from the complainant and asked him to pay the same within 2 days. It is

alleged that subsequently on 17.9.2020 when the complainant was present at his shop alongwith his friend Manpreet, the aforesaid boy of his village again came there and asked him for the amount and upon refusal of the complainant, he took out a knife from his pocket and tried to inflict injury upon the complainant but the complainant managed to save himself. When they raised alarm, some other persons present nearby gathered and the said boy ran away from the spot. It is alleged that the complainant subsequently got to know the name of the said boy as Manga of their village, who has been jailed several times.

3. The learned counsel for the petitioner has submitted the petitioner has falsely been implicated in the present case and that a perusal of the FIR would show that the only allegation levelled against the petitioner is that he had threatened the complainant and that no injury whatsoever was ever caused to the complainant.
4. Opposing the petition, the learned State counsel has submitted that the petitioner has remained involved in three other cases and, as such, he does not deserve the concession of bail given the fact that he is named in the FIR.
5. The learned counsel for the petitioner has, however, clarified that the petitioner stands acquitted in two out of the three cases, which were registered against the petitioner.
6. I have considered rival submissions addressed before this Court.
7. Without commenting upon the merits of the case and while bearing in mind that no injury has been caused to the complainant and that the petitioner as on date has been behind bars since the last about 6 months and till date only 3 out of the cited 9 PWs have been examined, further detention of the

petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

5.4.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No