

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

218

CRM-M-11547-2021

Date of decision: 27.10.2021

Manpreet Singh @ Manna @ Mann

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Amit Arora, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab
for the respondent-State.

MANJARI NEHRU KAUL, J. (ORAL)

This is the second petition filed under Section 439 of the Code of Criminal Procedure, 1973 (for short, "the Cr.P.C.") for grant of regular bail to the petitioner in case FIR No.36 dated 28.05.2019 lodged under Sections 307, 392 and 34 of the IPC (Sections 473 and 482 of the IPC added lateron) and Section 25 of the Arms Act registered at Police Station Fatehgarh Churian, District Gurdaspur.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in hand and has been behind bars since 28.05.2019. Learned counsel while inviting the attention of this Court to the contents of the FIR in question has submitted that it was a case of no injury inasmuch as even though the police party allegedly chased the petitioner and fired at him and the petitioner in retaliation fired back, however, nobody received any injury much less fire arm in the occurrence in question. He has submitted that the trial is unlikely to conclude in the near future as the case was

committed to the Court of Sessions as recently as on 06.10.2021.

Learned State counsel has filed short reply by way of affidavit of Balbir Singh, PPS, Deputy Superintendent of Police, Sub Division Fatehgarh Churian, Police District Batala, in compliance of order dated 06.08.2021 of this Court, which is taken on record.

A perusal of the reply reveals that the petitioner is also involved in the following two criminal cases:-

Sr. No.	Case FIR No.
1.	FIR No.76 dated 21.05.2019 under Sections 307, 452, 506 and 34 of the IPC and Sections 25 and 27 of the Arms Act, P.S. Sadar Tarn Taran.
2.	FIR No.111 dated 20.05.2019 under Sections 307, 450 and 34 of the IPC and Section 25 of the Arms Act, P.S. City Tarn Taran.

Learned Sate counsel has vehemently opposed the grant of concession of bail to the petitioner in the wake of his criminal antecedents. She has further submitted that the delay in conclusion of the trial has been on account of the pandemic COVID-19.

I have heard learned counsel for the parties and perused the material on record.

In the wake of the criminal antecedents of the petitioner coupled with the fact that learned counsel for the petitioner has not been able to satisfy this Court qua any material change in the circumstances subsequent to the withdrawal of his previous petition under Section 439 of the Cr.P.C. on 27.01.2021, this Court does not deem it fit to extend the concession of bail to the petitioner.

Dismissed.

However, it is made clear that anything observed

hereinabove shall not be construed to be an expression of opinion on the merits of the case.

At this stage, a request has been made by learned counsel for the petitioner that directions be issued to the trial Court to expedite the trial in the wake of the long period of custody of the petitioner.

The trial Court is directed to make earnest efforts to expedite and conclude the trial on or before 31.05.2022.

27.10.2021

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(MANJARI NEHRU KAUL)
JUDGE

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