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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(Through video conferencing)

CRM-M No.31017 of 2021  
Date of Decision: 22.09.2021

|                 |                 |
|-----------------|-----------------|
| MANJIT SINGH    | .....Petitioner |
| Vs              |                 |
| STATE OF PUNJAB | .....Respondent |

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Naveen Bawa, Advocate for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G., Punjab.

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**RAJ MOHAN SINGH, J.(Oral)**

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.117 dated 05.07.2016, registered under Sections 382, 34 IPC (Section 382 IPC was deleted and Section 397 IPC was added later on) and Sections 25/54/59 of the Arms Act at Police Station Sadar, District Ludhiana.

Learned counsel for the petitioner submits that the FIR was registered at the instance of Jagdeep Singh against three unknown persons. The allegations are that when the complainant was going to Pakhowal road in his car along with his nephew, who was driving the car, then one motorcycle hit the car from wrong side. When the nephew of the complainant

alighted from the car in order to check the same, then two Hindu gentlemen came and started to scuffle with him. They snatched the key of the car. The second person fired a shot in air and thereafter ran away after snatching the car. The complainant was dragged in the process.

Learned counsel further submits that no test identification parade was conducted. The FIR was registered against unknown persons. No particular descriptions of the accused have been given. No medical evidence of the complainant has come forth, particularly in view of the allegation that he was dragged by the accused while snatching the car to some extent. No recovery of empty shell was made from the spot in view of alleged firing done by the assailants. No specific role has been attributed to the petitioner. Petitioner is not the owner of the motorcycle which was allegedly used in the occurrence.

Learned counsel further submits that the accused Manjinder Singh and Gagandeep Singh have already been granted regular bail vide orders dated 28.02.2019 and 29.10.2020 passed in CRM-M No.4209 of 2019 and CRM-M No.21942 of 2020 respectively. Petitioner is in custody since 10.07.2017.

Learned counsel with reference to the aforesaid facts

submits that the petitioner is entitled for regular bail on parity with the co-accused, who have been enlarged on regular bail by the High Court.

Per contra, learned State counsel opposed the bail, however factual position of the case could not be disputed by him.

Petitioner is in custody for the last more than three years. No prosecution witness has been examined after framing of charges.

Having considered the submissions made by learned counsel for the parties and in view of the situation arising out due to COVID-19 pandemic, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

**(RAJ MOHAN SINGH)**  
**JUDGE**

September 22, 2021

*Atik*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No