

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(211)

CRM-M-35767-2021

Date of decision: - 07.09.2021

Mandeep Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. R.K. Samyal, Advocate,
for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.39 dated 30.03.2021, registered under Section 306 IPC (later on added offence under Sections 420, 465, 468, 471 and 120-B IPC), at Police Station City Moga, District Moga.

Learned counsel for the petitioner argues that the petitioner was not named in the FIR and he has been roped in the present case on the basis of the disclosure statement of co-accused, namely, Sukhwant Singh @ Sukha. Learned counsel for the petitioner further argues that nothing has come on record as to how the petitioner is involved in the

present controversy as neither the complainant nor co-accused, namely, Sanjay Talwar knew him. Learned counsel for the petitioner further argues that as the investigation is over and the challan has already been submitted, keeping the petitioner behind the bars any further will serve no purpose.

Notice of motion.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel submits that co-accused Sukhwant Singh @ Sukha had supplied forged IELTS certificate to the deceased, which was allegedly prepared by the petitioner and therefore, the petitioner may not be granted the concession of regular bail.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, there was no allegation against the petitioner in the FIR and he has been nominated on the basis of disclosure statement of co-accused, no useful purpose will be served by keeping him behind the bars as the trial is likely to take some time before it concludes especially when learned counsel for the petitioner has undertaken before this Court that the petitioner will not influence the witnesses or the trial in any manner, the petitioner has made out a case for the grant of regular bail.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular

bail, if not required to be detained in any other case, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence the trial in any manner and in case of default of the above undertaking, the State/complainant will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

September 07, 2021
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(**HARSIMRAN SINGH SETHI**)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No