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

CRM-M-45622-2021

Date of decision: 08.11.2021

Manpreet Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Baldev Singh Sodhi, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab.

Mr. Arnav Sood, Advocate for the complainant.

AVNEESH JHINGAN, J (Oral):

[1] Today physical hearing was held but on request of learned counsel for the petitioner, the matter is taken up by way of hybrid hearing.

[2] This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 79, dated 12th June, 2020, under Sections 307, 341 read with Section 34 IPC and Section 25 of the Arms Act, 1959, registered at Police Station Chabbewal, Hoshiarpur.

[3] FIR was registered at the instance of Sukhdeep. The allegations are that on 12th June, 2020, that complainant alongwith Gopal Sharma was travelling in a car bearing registration

No. PB08-AW-7464. Near village Barian Kalan, Manpreet (petitioner) alongwith an unknown person came on a motorcycle, stopped the car by bringing the motorcycle in front of it and fired towards the complainant. The bullet hit the window pane of the car. The other accomplice fired in the air. The motive behind the incident was stated to be that petitioner was demanding Rs. 3 lakhs from the complainant.

[4] Mr. Baldev Singh Sodhi, learned counsel for the petitioner submits that petitioner is in custody since 8th December, 2020 and trial is not progressing.

[5] Learned State counsel opposes the prayer for grant of regular bail and submits that earlier petition filed before this Court was withdrawn on 6th August, 2021, challan stands presented, charges were framed on 11th October, 2021 and complainant is yet to be examined. It is further aruged that petitioner is involved in three more cases.

[6] Though not impleaded as a party, Mr. Arnav Sood, Advocate appears for the complainant and vehemently opposes the prayer for grant of bail. He submits that gun shot was fired toward the complainant. There would be threat to the complainant if the petitioner is enlarged on bail.

[7] The custody period cannot be sole ground for grant of bail. Considering the facts that weapon used in the incident was recovered from the petitioner in another FIR registered at Rajasthan, he is involved in three more cases and complainant is yet to be examined, no

ground is made out for grant of bail.

[8] The petition is dismissed.

[9] However, it is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

8th November, 2021
pankaj baweja

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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |