

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

**CRM-M-6052-2022 (O&M)
Date of decision: 22.08.2022**

Manmohan Singh Parmar @ Monu Dhaba

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. Jasneet Mehra, Advocate for the petitioner.

Mr. Adhiraj Singh, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this fourth petition, the petitioner seeks regular bail in case bearing FIR No.12 dated 22.01.2017, registered at Police Station Division No.7, Jalandhar, under Sections 307 and 34 IPC and Sections 25 and 27 of the Arms Act, 1959 (Sections 212, 216, 120-B IPC added later on).

Status report by way of affidavit dated 21.08.2022 of the Assistant Commissioner of Police, Model Town, Jalandhar, submitted by the learned State counsel in the Court, is taken on record.

Learned counsel for the petitioner contends that petitioner has falsely been implicated in the present case; that the allegation against the petitioner is that he was driving the vehicle, whereas co-accused Gursharan Singh @ Bhalu, who had fired two shots on Pancham Noor, was a pillion-rider; that the petitioner was declared a proclaimed offender on 16.05.2017, but was arrested on 10.09.2017; that the petitioner has been in custody since 10.09.2017; that as far as other cases against the petitioner are concerned, he

stands convicted in one case and acquitted in another case and that one of co-accused, namely, Pankaj Sehdev stands enlarged on bail by a Coordinate Bench, vide order dated 10.08.2017 passed in CRM-M-16376-2017.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner had actively participated in the occurrence, as he facilitated co-accused Gursharan Singh @ Bhalu, who had fired two shots on the person of Pancham Noor. However, he does not dispute the custody period of the petitioner. He submits that out of 39 prosecution witnesses, 17 have been examined so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 10.09.2017. The allegation against the petitioner is that he was driving the vehicle and no injury has been attributed to him. The remaining 22 prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

22.08.2022
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No