

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

**CRM-M-12806-2022
Date of decision: 01.04.2022**

Manjinder Singh Virk

...Petitioner

Versus

State of U.T., Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vinod Ghai, Sr. Advocate with
Ms. Kanika Ahuja, Advocate &
Mr. Edward Augustine George Masih, Advocate
for the petitioner.

Mr. A. M. Punchhi, Public Prosecutor with
Mr. Anupam Bansal, APP
for the U.T., Chandigarh.

ARVIND SINGH SANGWAN, J. (Oral)

This is the fifth petition that has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail/interim bail to the petitioner in case FIR No. 60 dated 02.06.2020, registered under Sections 307, 34 and 212 (added later on) of the IPC and Sections 25, 27 of the Arms Act, 1959 at Police Station North, Chandigarh.

Learned senior counsel for the petitioner submits that the FIR was lodged by one Akbar Khan with the allegations that he is working as a Salesman in a wine shop at Sector 9, Chandigarh and on 02.06.2020, when he was on sales counter, he heard a noise of gun shot outside the shop, due to which, the glass of the counter was broken and the person sitting on the counter sustained bullet injury on his right arm. At that time, some persons

were also sitting inside the shop and Pawan Kumar and Ankur Narang also received injuries due to the broken glass. It is further stated that in the parking, two young boys, in blue and red T-shirts, were seen carrying guns in their hands, who were sitting in a Honda Amaze car.

Learned senior counsel further submits that the incident pertains to 02.06.2020 and during investigation, co-accused Vainkat Garg was arrested on 11.06.2020 and thereafter, two other persons namely Devender Chawla and Amarjit @ Topi were taken on production warrants on 17.08.2020 and they made alleged disclosure that they ran away in a car, which was driven by the petitioner and thereafter, the petitioner was arrested on 27.04.2021.

Learned counsel, appearing for the U.T., Chandigarh, submits that the petitioner and his associates are involved in a number of other FIRs and their *modus operandi* is to extract money by extending threats to people. Learned counsel has referred to some other FIRs, however, it is not disputed that the petitioner is not the person who is mentioned in the FIR who fired gun shots. Learned counsel has, however, submitted that one of the accused was driving a car, which belongs to petitioner.

It is further submitted that now the challan stands presented and arrest of one of the accused is still to be effected, therefore, charges are yet to be framed.

Learned senior counsel has referred to an order dated 08.03.2022 passed in CRM-M-791-2022 to submit that the petitioner has already been granted the concession of regular bail in FIR No. 364 dated 19.07.2020 and has submitted that the petitioner is involved in the said FIR

only subsequent to his involvement in the present FIR, on the basis of the disclosure of co-accused Devender Chawla and Amarjit @ Topi.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid facts and circumstances and also in view of the fact that conclusion of trial is likely to take some time as even charges have not been framed so far, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

01.04.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No