

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

211

Date of decision : 14.11.2022

(i)

CRM-M-24642-2022

Manpreet Singh @ Manni Singh

Petitioner

V/S

State of Punjab

Respondent

(ii)

CRM-M-24650-2022

Karandeep Singh @ Karan

Petitioner

V/S

State of Punjab

Respondent

(iii)

CRM-M-37194-2022 (O&M)

Harmanjit Singh @ Harman

Petitioner

V/S

State of Punjab

Respondent

CORAM : HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Lupil Gupta, Advocate
for the petitioner(s) in CRM-M-24642-2022 and
in CRM-M-24650-2022.

Ms. Satwant Mehta, Advocate
for the petitioner in CRM-M-37194-2022.

Mr. Amish Sharma, Asstt. A.G., Punjab
for the respondent-State.

ASHOK KUMAR VERMA, J. (ORAL)

The petitioners have filed the present petitions under
Section 439 of the Code of Criminal Procedure, 1973 (for short 'the
Cr.P.C.') for grant of regular bail in case FIR No.127 dated 19.04.2022

registered under Sections 399 and 402 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 (to which Section 411 of the IPC and Section 25(6) of the Arms Act were added later on) at Police Station Goindwal Sahib, District Tarn Taran.

As per prosecution, on 19.04.2022 ASI Sukhchain Singh has received secret information to the effect that Karandeep Singh, Harmanjit Singh, Manpreet Singh, Gurpreet Singh, Jagroop Singh, Sukhraj Singh and Harmanpreet Singh, armed with pistol, datars and kirpans, have assembled at the canal bridge, on the road from Adda Dehra Sahib to Jamarai in Innova car and Swift car. If raid is conducted, all the accused can be apprehended on the spot. On the basis of said information, ASI Balbir Chand, in civil dress, was sent at the spot, who informed that number of persons had gathered at the indicated place along with two vehicles and weapons and were taking about committing decoity. On the basis of said information given by ASI Balbir Chand, the present FIR was registered against the accused. When the raid was conducted the petitioners were apprehended on the spot.

In compliance with order dated 12.10.2022 passed by this Court Mr. Vishaljit Singh, Superintendent of Police (Investigation), Tarn Taran is present in the Court and filed separate replies by way of an affidavit of Mr. Ranjit Singh Dhillon, IPS, Senior Superintendent of Police, District Tarn Taran in each petitions which are taken on record.

Learned counsel for the petitioners submitted that the petitioners have been falsely implicated in the present case. The story put forth by the investigating agency is highly improbable as it cannot be believed that accused were standing outside the cars and talking to each other for coming dacoity. If the accused were sitting in the 02 cars, ASI Balbir Chand could not have over heard their conversation. The secret information was neither reduced into writing nor any independent witness was joined in the case. The petitioners were in custody since 19.04.2022. Trial is likely to take time and no purpose will be served by keeping the petitioners in custody. Therefore, the

petitioners may be ordered to be released on regular bail.

On the other hand learned State counsel has opposed the present petition in terms or reply filed by the State. He submits that the petitioners along with other accused made planning for committing dacoity. When raid was conducted 'dadar' was recovered from petitioners-Manpreet Singh @ Manni Singh and Harmanjit Singh and Harmanjit Singh @ Harman and .315 bore country made pistol was recovered from petitioner-Karandeep Singh @ Karan.

I have heard learned counsel for the parties and gone through the paper-book.

Keeping in view the facts and circumstances of the case, nature of accusation against the petitioners, custody period of the petitioners and also the fact that the trial likely to take long time but without commenting on the merits of the case, I am of the considered view that the petitioners deserve the concession of regular bail.

Accordingly, the present petitions are allowed and petitioners-Manpreet Singh @ Manni Singh, Karandeep Singh @ Karan and Harmanjit Singh @ Harman are ordered to be released on regular bail subject to furnishing their bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

State will be at liberty to file application for cancellation of petitioners bail, if they are found involved in any other criminal activity during the period of bail.

14.11.2022

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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No