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

CRM-M-30665-2022

Date of decision:22.07.2022

MANPREET SINGH @ SONU WAGAL

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. A.S. Manaise, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab

SURESHWAR THAKUR, J. (ORAL)

1. The instant petition has been filed under Section 439 of Cr.P.C., wherethrough the present bail petitioner seeks indulgence of regular bail being accorded to him.
2. FIR No.164 of 09.12.2021, constitutes therein offences under Sections 399, 402 of IPC, and, under Sections 25, 27 of Arms Act, and, is lodged at Police Station Kulgari, District Ferozepur, thereins the commission of the incriminatory offences are attributed to the bail petitioner.
3. In respect of the petition FIR, the co-accused concerned, had instituted before this Court CRM-M-13242-2022, and, CRM-M-15076-2022, and, through respectively made orders thereons, on 04.04.2022, and, 20.04.2022, this Court had admitted them to regular bail. Therefore, when the role attributed in the petition FIR, to the present bail petitioner is similar, and, at par, with the bail petitioners in the petitions (supra), thereupon, the present bail petitioner be also treated, at par with the petitioners in the petitions (supra). In

consequence, the present bail petitioner is amenable for his being admitted to regular bail.

4. Keeping in view the above, and, also bearing in mind the further fact that, the petitioner is in judicial custody since 05.05.2022, thereupon, the above prolonged period of judicial incarceration of the present bail petitioner is not required to be prolonged any further, as, thereupon his personal liberty would become unnecessarily fettered, and, curtailed.

5. The learned State counsel yet opposes the grant of regular bail, to the petitioner, and, submits that the indulgence of regular bail may not be accorded to the present bail petitioner, as he is a habitual offender, and, in case he becomes admitted to regular bail, thereupon, there is every likelihood of his fleeing from justice, and, tampering with prosecution evidence, and, also his influencing prosecution witnesses, besides his re-indulging in criminal activities.

6. Be that as it may, the imposition of stringent conditions, is rather deemed fit and appropriate, for being imposed upon the petitioner-bail applicant, necessarily as a measure to allay, the apprehension (supra), as becomes reared by the learned State counsel.

7. Consequently, it is not necessary to prolong the judicial incarceration of the bail petitioner-applicant. The instant petition is allowed, and, the bail petitioner-applicant is ordered to be released from judicial custody. However, the granting of bail to the bail petitioner-applicant, is subject to his furnishing personal, and, surety bonds in the sum of ₹50,000/- each, before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to his not tampering with prosecution evidence, and, his not influencing prosecution witnesses, and, besides also his appearing before the

trial Court concerned, as and when directed to make his personal appearance unless validly exempted. Further, subject to the petitioner-bail applicant making an undertaking before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, that in case, he re-indulges in criminal activities, whereupon, on breach thereof, the order made today, shall become *ipso facto* annulled, and, upon his being forthwith arrested by the investigating officer concerned, the latter shall produce the petitioner-bail applicant before the trial Court concerned, for the latter making an order for his being put to judicial custody.

8. Copy dasti.

22.07.2022

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(SURESHWAR THAKUR)
JUDGE

Whether speaking/reasoned:-	Yes/No
Whether reportable:	Yes/No