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

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**CRM-M-36705-2021  
Date of Decision: 28.04.2022**

Manjinder Singh @ Kala Sekhon

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: Mr. Sukhmeet Singh, Advocate,  
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

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**JASGURPREET SINGH PURI, J. (ORAL)**

The present petition has been filed under Section 439 of the Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.112 dated 29.06.2021, under Sections 307, 353 & 186 of the IPC and Section 25 of the Arms Act, 1959, registered at Police Station Sangat, District Bathinda.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 08.07.2021 and the investigation of the case has already been completed and no further recovery is to be effected from the petitioner. He further submitted that it is a case where the present FIR has been lodged on the basis of the antecedents of the petitioner. He also submitted that as per the FIR when the Police was investigating another case and was investigating one Gurdharam Singh son of Chamkaur Singh

then he confessed that he got 12 bore country-made pistol and 5 live cartridges of 12 bore from the present petitioner, namely, Manjinder Singh @ Kala Sekhon. It has also been stated in the FIR that the petitioner is a dangerous person and he is also involved in about dozen of cases under Sections 302, 307 of the IPC and other serious offences. He further submitted that as per FIR, the Police party proceeded towards his house from where it was informed that he had gone to fields on tractor and when the Inspector along with the Police party had reached the fields then the petitioner was on red colour Swaraj tractor, who was having country-made pistol in his hand and on seeing the Police party the petitioner-Manjinder Singh @ Kala Sekhon had fired a shot from his pistol towards them with intention to kill and fled away. Learned counsel for the petitioner also submitted that the story in the FIR has been concocted for the purpose of falsely implicating the present petitioner.

On the other hand, Mr. Davinder Bir Singh, learned Deputy Advocate General, Punjab has submitted that a status report by way of affidavit of Deputy Superintendent of Police (Rural), District Bathinda has already been filed and while referring to the affidavit, he submitted that the petitioner is involved in 8 more cases and the details of the same are mentioned in Para 4 of the affidavit. While referring to the Para 4 of the affidavit, he further submitted that in one case, the petitioner has been convicted however in four cases the petitioner has been acquitted and in remaining three cases the petitioner is still undertrial and in most of the cases the petitioner was involved under the Arms Act. He also submitted that in view of the antecedents of the petitioner and the apprehension that in

case the petitioner is released on bail then he may repeat the offence or may influence any witness and there is every possibility that he may abscond or flee from justice, therefore, the present petition deserves to be dismissed.

I have heard the learned counsel for the parties.

The investigation of the present is already complete but as per the learned counsel for the parties, no prosecution witness has been examined as yet. Considering the allegations in the FIR and the antecedents of the petitioner which have been stated in the affidavit filed by the State and the arguments raised by the learned State counsel it would disentitle the petitioner for grant of regular bail. Apart from the same, serious apprehension has also been expressed by the learned State counsel while referring to the antecedents of the petitioner that in case the petitioner is released on bail then he may influence the witness or may abscond or flee from justice and such an apprehension expressed by the learned State counsel cannot be ignored. Therefore, considering the aforesaid totality of the circumstances of the present case, this Court does not deem it fit and proper to grant bail to the petitioner and consequently, the present petition is hereby dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

**28.04.2022**

*Bhumika*

**(JASGURPREET SINGH PURI)**  
**JUDGE**

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