

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

**CRM-M-19288-2022
DECIDED ON: 29.03.2023**

MANPREET SINGH ALIAS MANNU

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Amit Arora Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.183 dated 09.07.2021 under Sections 307, 34, 506 IPC, 1860 and Sections 25 and 27 of Arms Act, 1959 registered at Police Station Ranjit Avenue, District Amritsar.

Learned counsel for the petitioner contends that Manpreet Singh @ Mannu-accused/petitioner alleged to have given a gun shot injury with his pistol to the son of the complainant which hit on the left thigh, alleging that the said allegation is absolutely wrong supported by no evidence whatsoever. The petitioner is not in a possession of any weapon contended in the petition.

In the light of the same, learned counsel for the petitioner has asserted that he has been falsely implicated in the instant case on account of fact that his mother Paramjeet Kaur is Sarpanch of Gram Panchayat, Village Khak and the complainant belongs to the same village having rivalry out of political counter-parts.

It has further been asserted that the CCTV footage of the incident has been taken into possession of the Investigating Agency from the place of incident which clearly shows that no gun shot has been fired by the petitioner.

On the other hand, learned State counsel has produced the custody certificate in the Court which is taken on record contends that that weapon was recovered from the possession of petitioner who has given gun shot injury but has no answer to the query put as the CCTV footage wherein he was not visible at the place of occurrence firing a gun shot.

As far as the pendency of two other cases qua the petitioner is concerned, the custody certificate reflects that yet again he is not on bail in those cases, learned counsel for the petitioner has confronted that case and, therefore, supplied the copy of orders which he has been granted bail by the trial Court vide order dated 10.02.2023 in FIR No.46 dated 27.04.2022 and order dated 23.03.2023 in FIR No.238 dated 23.12.2021 which are taken on record as Document A collectively.

Considering the aforesaid fact that the petitioner is not visible in the CCTV footage giving a gun shot injury to any of the complainant side and confrontation to that fact that the alleged weapon is not used in this case but in other FIR bearing No.238 dated 23.12.2021 in which he is also on bail. Apart from the fact that he is in custody for the last one year, one month and eight days wherein the trial was to take long time which is at the initial stage as the charges are yet to be framed and nothing is to be recovered so no useful purpose would be served in keeping the petitioner into the custody.

In the light of the aforesaid discussions, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition is, hereby, allowed.

However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

29.03.2023
pchawla

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>