

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

201

**CRM-M-37316-2022 (O&M)
Date of decision: 16.02.2023**

Mandeep Singh @ Meepa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. J.S. Thakur, Advocate for the petitioner.

Ms. Anju Sharma Kaushik, DAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

CRM-30251-2022

Application is allowed as prayed for.

Main case:

Through this second petition, the petitioner seeks regular bail in case bearing FIR No.97 dated 28.06.2018, registered under Sections 302, 307, 148, 149 and 120-B IPC and Section 452 IPC (added later on), at Police Station Bhogpur, District Jalandhar Rural.

Learned counsel for the petitioner submits that no specific injury has been attributed to the petitioner; that the petitioner has been in custody since 30.06.2018; that there was only one injury on the person of the deceased and that too on the thigh; that co-accused, namely, Rishav Kumar @ Ravi and Mandeep Singh @ Manna, are already on bail; that similarly situated co-accused Gulshan Kumar, has already been granted the concession of bail on 07.09.2022; that in other pending cases, the petitioner is on bail and that though the charges have been framed but no prosecution witness has been examined so far.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner has actively participated in the occurrence and he along with other co-accused have committed the murder of Manpreet Singh @ Mani with sharp edged weapon. The petitioner is a habitual offender and is involved in 7 other cases. The *Khanda* used in the crime was recovered from the petitioner on his own disclosure statement. However, she does not dispute the custody period of the petitioner. She submits that the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 30.06.2018. The recovery has already been effected. Co-accused Rishav Kumar @ Ravi, Mandeep Singh @ Manna and similarly situated co-accused Gulshan Kumar, are already on bail. As per the learned counsel for the petitioner, he is on bail in other pending cases. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and custody period of the petitioner, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

16.02.2023
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No