

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 389 of 2024 (O&M)
Date of Decision: 08.02.2024

Manjinder Kumar @ Mani

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

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

Mr. Gurlal Singh Dhillon, Assistant Advocate General, Punjab

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition filed under Section 439 Cr.P.C., seeks grant of regular bail pending trial in case bearing FIR No. 24 dated 14.03.2022, under Sections 302, 307, 452, 323, 148 & 149 of IPC (Sections 148 & 149 of IPC deleted while Sections 34 & 325 of IPC added later on), registered at Police Station Chabbewal, District Hoshiapur.

[2] Status report by way of affidavit dated 08.02.2024 of Sh. Parminder Singh, PPS, DSP, Detective, District Hoshiarpur, filed on behalf of the respondent-State, is taken on record. Copy thereof supplied to the opposite side.

[3] Learned counsel for the petitioner submits that the petitioner was never named in the FIR, but was implicated on the basis

of disclosure statement made by the co-accused, namely, Raman Kumar. He further submits that in the first disclosure on 21.03.2022, the aforesaid co-accused never named the petitioner, whereas, in the supplementary disclosure statement made on 22.03.2022, the petitioner was named having accompanied the abovesaid co-accused. He also submits that the petitioner is in custody since 22.03.2022 and is not involved in any other criminal case, thus, prays for grant of regular bail to the petitioner.

[3] On the other hand, learned State Counsel vehemently opposes the prayer for grant of regular bail to the petitioner while referring to the nature of incident involved herein.

[4] I have heard learned counsel for the parties and gone through the paper-book. I find substance in the submissions made by learned counsel for the petitioner.

[5] In the present case, the petitioner is behind the bars for the last more than one year and nine months and the investigation stands concluded with the filing of challan, followed by framing of charges; though out of 22 prosecution witnesses, only 01 has been examined so far; thus the trial is likely to take long time, besides it, the petitioner is not involved in any other criminal case. Thus, considering the aforesaid facts, I do not find any justification to extend the incarceration of the petitioner.

[6] In view of the above, but without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is **allowed** and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the Trial Court / Illaqa Magistrate / Duty Magistrate concerned.

[7] It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

February 08, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No