

2024:PHHC:044933

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-14981-2024 (O&M)
Date of Decision:- 03.04.2024

Manpreet Singh @ Shamma @ Mandeep Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Tanvir Joshi, Advocate, for the petitioner.

Mr. Gauravdeep Singh Dhaliwal, AAG, Punjab,
assisted by ASI Kulwant Singh.

FIR NO.	DATE	POLICE STATION	OFFENCES
242	22.12.2021	Sadar, District Sri Muktsar Sahib	365, 384, 386, 506, 34 IPC and Sections 25, 27, 54, 59 of Arms Act (Sections 212, 201, 216 IPC subsequently added vide Rapat No.53 dated 04.05.2022)

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The FIR in question was lodged at the instance of Dr. Varinder Wadhwa wherein it is alleged that he had been kidnapped by some

unknown persons and was set free after a ransom of Rs.5 lakhs was paid.

3. Learned counsel for the petitioner submits that he is nowhere named in the FIR and came to be nominated subsequently on the basis of supplementary statement but the complainant in his affidavit (Annexure P-2) has categorically stated that he had not ever made any supplementary statement. It has further been submitted that co-accused Dharambir Singh @ Sabu and Avtar Singh @ Avtar Singh Aulakh have already been granted bail. It has been submitted that since the petitioner as on date has been behind bars since the last about 1 year, 8 months and 14 days and since the trial has not commenced till date, he deserves for concession of bail.
4. On the other hand, learned State counsel has submitted that having regard to the serious nature of allegations no case for grant of bail is made out. It has however, been informed that the petitioner has been behind bars since the last about 1 year, 8 months and 14 days and that the petitioner otherwise is involved in 4 other cases. Learned State counsel informed in the instant case although challan has been presented, but charges are yet to be framed and as many as 20 PWs have been cited.
5. This Court has considered the rival submissions addressed before this Court.
6. It is not in dispute that the petitioner came to be nominated on the basis of supplementary statement though the petitioner claims that the complainant has filed affidavit (Annexure P-2) in his favour. But at

this stage, this Court cannot comment upon the authenticity of the said affidavit. However, all said and done, the petitioner has been behind bars since the last 1 year 8 months and 14 days. The trial has not even commenced till date and the prosecution has cited as many as 20 PWs. As such it goes without saying that conclusion of trial is likely to consume time. Under these circumstances, further detention of the petitioner would not be justified. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

03.04.2024

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No