



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

CRM-M-25197-2024

Date of Decision:-23.05.2024

Manjit Singh @ Nona.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. G.S. Verma, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.186 dated 25.10.2023 under Sections 379-B(2), 506, 34 IPC and Section 25 of Arms Act registered at Police Station Dugri, District Ludhiana.

2. The present FIR came to be registered at the instance of Irfan Mohammad which reads as under:-

“ Statement of Irfan Mohammad son of Roop Khan, Resident of House No. 1265, Near AK Petrol Pump, Street No. 2, Block-D, Essar Nagar, Ludhiana. Age about 22 years Mo: 62841-45622.

Stated that I am a resident of the above said address and doing business of tyre at near Petrol Pump Dugri. On 25.10.2023 I along with my friend Lavish Kumar son of Yogesh Kumar, resident of House no.9, Bhai Himmat Singh Nagar, Dugri, Ludhiana and Vikram Kumar son of late Tarsem Lal, resident of House no.62, street no 3, near New Mahaveer School, Saheed Bhagat Singh Nagar, Dugari Ludhiana we were coming from my



car Swift Dezire bearing no. PB-26-G-9933, Color White, Model 2019 coming from Chandigarh to Ludhiana. I bought this car from Khanna Finance GT Road Khanna. RC is registered in the name of Khanna Finance GT Road Khanna. I reached Ludhiana and left my friends Lovish Kumar and Vikram Kumar at their houses and I was going to my house situated in Issar Nagar. When I reached near Dugri Bridge's side road pass, it was about 5:15 AM then 02 boys immediately came in front of my car and signaled me to stop the car. Among the 2 young men, one of them was about 6 feet tall and the other young boy was about 5 feet tall and was wearing a black cap. One boy came to the left side of my car. The central locking system of my car was off and the windows of the car were slightly open, then he pointed a pistol at me and threatened to shoot me and said that whatsoever you have give him, if you do not give us anything, I will shoot you. One of the youths standing in front of the car also came near my car and opened the driver's side window and hit me on the arm with a sharp weapon and pulled me out of the vehicle. Upon which I got scared and panicked and the other young man showed me an iron rod and threatened to kill me and they snatched and took away my Mobile having SIM No. 97816-13234, and one Watch marka Luvis and my car bearing number PB-26-G-9933. I took a mobile phone from a passerby and called and told my father everything. Till now we have been searching on our own level but we have not found anything, regarding the injury is concern I am afraid I have not done any medical examination. I was coming along with my father Roop Khan to lodge a report. But you met me. Please take action. I have recorded my statement to you admitting it to be A correct. Sd/-Ifran Mohammad."

3. Another FIR No.111 dated 26.10.2023 under Sections 399, 402, 411, 379 B(2), 413, 473 IPC and Section 25 of the Arms Act P.S. Shimlapuri, Ludhiana came to be registered in which the petitioner was arrested. He suffered his disclosure statement confessing his involvement in the instant FIR. He was arrested in the present case and was identified by the present complainant as one of the assailants.



4. The Counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He was picked up from his house in FIR No.111 dated 26.10.2023 and implicated in the present case. As he was in custody since 26.10.2023, none of the 11 Pws had been examined so far and as he had been granted the concession of bail in FIR No.111 dated 26.10.2023, he was entitled to the similar concession in the present case as well.

5. The learned State counsel on the other hand contends that the nature of the allegations levelled against the petitioner did not entitle him to the grant of bail. Even otherwise, he was a habitual offender with one other case registered against him. He however concedes that the petitioner was in custody since 26.10.2023, none of the 11 Pws had been examined so far and that in the one other case registered against him, he had been granted the concession of bail.

6. I have heard the learned counsel for the parties.

7. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is in custody since 26.10.2023 but none of the 11 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In the one other case registered against him, he had been granted the concession of bail, therefore, he is entitled to the similar concession in the present case as well.

9. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Manjit Singh @ Nona** son of Sh. Gurmail Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.



10. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the cases mentioned in this order.

11. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.1,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited in accordance with law in case of the absence of the petitioner from the Trial without sufficient cause.

11. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 23, 2024
Vinay

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