



225 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32931 of 2024
Date of Decision: 17.07.2024

Mandeep Singh @ Manga ...Petitioner
vs.
State of Punjab ...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Jitender Singh Dadwal, Advocate
for the petitioner.

Mr. Malkiat Singh, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.P.C. with a prayer to grant regular bail to him in case FIR No.0016 dated 10.02.2024 registered under Sections 419, 420, 465, 467, 468, 471 and 120-B of IPC, at Police Station Dakha, District Ludhiana.
2. Learned counsel for the petitioner contends that the petitioner had no concern with the allegations levelled by the complainant in the present FIR. In fact, the petitioner was working as a clerk with an advocate in District Courts and in good faith, he had furnished the bail bonds/surety bonds of various accused. Learned counsel further contends that the petitioner is in custody since 10.02.2024 and after completion of investigation, the challan has already been presented before the Court.



3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is a habitual offender and two more cases have also been ordered to be registered against him. He further submits that the petitioner used to forge Aadar card, voter card and other documents of different persons and such documents were produced before different courts.

4. I have heard the learned counsel for the parties and perused the record.

5. No doubt, two more cases were ordered to be registered against the petitioner, but the petitioner cannot be denied the concession of bail in the present case only on the ground that the petitioner has been able to make out a case for grant of bail in the facts and circumstances of the present case. The reliance can be placed on the law laid down by the Hon'ble Supreme Court in the matter of "***Prabhakar Tewari Vs. State of U.P., and another***" 2020(1) R.C.R. (Criminal) 831 where it has been held that the pendency of several criminal cases against the accused cannot be the basis to refuse the prayer of bail. Similar observations have been made by the Hon'ble Supreme Court in the matter of "***Maulana Mohd. Amir Rashadi Vs. State of U.P., and another***" 2012(1) R.C.R. (Criminal) 586. Still further, in the present case, the petitioner was arrested on 10.02.2024 and is in custody for the last more than 05 months. After completion of the investigation, the challan has already been presented before the competent Court and the conclusion of the trial may take considerable time. Thus, no purpose will be served by keeping the petitioner behind bars.



6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

- (i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade his to disclose such facts to the Court or to any other authority.
- (ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.
- (iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.
- (iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.
- (v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by his during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.
- (vi) In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.
- (vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

17.07.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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