



CRM-M-32742-20241

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-32742-2024

Date of decision : July 17, 2024

Manoj Kumar @ Meshi

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Kanwaljeet Singh, Advocate, for the petitioner
Mr. Sahil R. Bakshi, AAG, Punjab

KULDEEP TIWARI,J. (ORAL)

1. Through the instant petition, the petitioner craves for indulgence of this Court for his being enlarged on regular bail, in case FIR No.88 dated 05.04.2024, under Sections 399 and 402 IPC and under Section 25 of the Arms Act, 1959, registered at P.S. Sahnewal, District Ludhiana.
2. The prosecution agency was set into motion on a secret information made by a police informer, to the extent that the petitioner along with the other co-accused have gathered in Haryana Ground, Gyaspura, Ludhiana, and planning to commit robbery, and they are also possessing some illegal weapons, deadly weapons

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kirpan/iron Daah etc. They are also in possession of a car, and a motor-cycle. On the basis of the said secret information, the instant FIR has been registered.

3. Learned counsel for the petitioner, submits that though the petitioner is named in the FIR, however, no specific role is attributed qua him. He further submits that the allegations against the petitioner are that he along with other co-accused fled away from the spot. He also submits that the petitioner has faced incarceration of more than 3 months, as on today. He in addition submits that no offence whatsoever, is made out after perusal of the instant FIR, and the petitioner is not involved in any other criminal case. He also relied upon Annexure P/2, whereby, the co-accused of the petitioner has been granted the relief of regular bail vide order dated 11.6.2024, passed in CRM-M-28187-2024.

4. Per contra, learned State counsel, has opposed the prayer for grant of regular bail, and has produced the custody certificate of the petitioner, which is taken on record. Learned State counsel on instructions imparted to him by ASI Deep Chand, submits that the investigation in the instant FIR has already been conducted and the final report has been filed before the learned Illaqa Magistrate concerned on 04.06.2024. He further submits that no witness has been examined so far.



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5. Considering the allegations against the petitioner, and the incarceration suffered by the present petitioner, and he is behind the Bars since 05.04.2024, and the co-accused of the petitioner has already been granted the concession of regular bail vide order (*supra*), this Court deems it fit and appropriate to enlarge the petitioner on regular bail. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

6. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

July 17, 2024
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(KULDEEP TIWARI)
JUDGE

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