



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

201**CRM-M-35784-2024****Date of Decision: 19.10.2024****MANJIT SINGH**

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Ms. Gurjeet Kaur, Advocate, for the petitioner.

Mr. Deepinder Brar, Sr. DAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 438 of the Bharatiya Nagrik Suraksha Sanhita, 2023 with a prayer to grant a regular bail in case FIR No.16 dated 10.02.2024 registered under Sections 419, 420, 465, 467, 468, 471 and 120-B of IPC at Police Station Dakha, District Ludhiana Rural.

2. Learned counsel for the petitioner contends that the petitioner had no concern with the allegations leveled by the complainant in the present FIR and he had not furnished any bail bonds/surety bonds of any case. Learned counsel further contends that the petitioner is in custody since 10.02.2024 and after completion of investigation, the report under Section 173 Cr.P.C. has already been presented before the Competent Court against him.

3. Status report by way of an affidavit of the Deputy Superintendent of Police, Dakha, District Ludhiana (Rural) has been



filed on behalf of the respondent-State and the same is taken on record.

4. 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 four more cases have also been ordered to be registered against him. He further submits that the petitioner used to forge Aadaar card, voter card and other documents of different persons and such documents were produced before different courts.

5. I have heard the learned counsel for the parties and perused the

6. No doubt, four 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 V.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.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned subject to 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 him 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 him 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 involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously and the prosecution shall be at liberty to move an appropriate application for cancellation of bail granted to the present petitioner.

(vii) The concerned Court may insist two heavy local surties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

(viii) The petitioner shall report every 1st Monday in English calander month before the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the Rojnamcha. In case, he does not report on every 1^s Monday before the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the State of Punjab shall be at liberty to move an appropriate application in this regard.

19.10.2024

M.Sikka

(N.S.SHEKHAWAT)

JUDGE

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