



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

CRM-M-44673-2023 (O&M)
Date of Decision:- 03.12.2024

Manga Singh ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Hem Raj Bhardwaj, Advocate, for the petitioner.
Mr. Prabhdeep Singh Dhaliwal, AAG, Punjab.

FIR NO.	DATE	POLICE STATION	OFFENCES
148	10.07.2020	Maur, District Bathinda	302, 364, 201, 120-B, 323, 148, 149 IPC

GURVINDER SINGH GILL, J.

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 was lodged at the instance of Balvir Kaur, wherein it is alleged that on 9.7.2020 at about 8:00 p.m., her son Amrinder Singh @ Manja had gone for a walk in a park after taking meals, but did not return back. When the complainant went towards the park to look for her son, she noticed a Maruti car and the occupants of the same were Kharaji Singh, Sukhveer Singh @ Soni, Lakhvir Singh and Manga Singh, who were accompanied by 4/5 unidentified persons on motor-cycles. It is alleged that the said persons forcibly pushed



complainant's son in the car. Although, the complainant, who was also accompanied by Jaswinder Singh @ Judge, tried to restrain them, but the assailants caused injuries to Jaswinder Singh and fled away from the spot. On the next day in the morning, the complainant's son-in-law Gagandeep Singh informed that dead body of Amrinder Singh was lying in the bushes in the area of village Maur Charat Singh. The complainant, thus, alleged that Kharaji Singh, Sukhveer Singh, Lakhvir Singh and Manga Singh accompanied by 4-5 unidentified persons had forcibly abducted her son and murdered him and that the motive for murder of her son was that previously there had been a quarrel between her son and Kharaji Singh and others.

3. Learned counsel for the petitioner submitted that he has falsely been implicated in the present case and that in any case since the petitioner has been behind bars for more than 4 years, 4 months and 14 days, he deserves to be released on bail.
4. Opposing the petition, learned State counsel submitted that since the petitioner is specifically named in the FIR and also happens to be involved in 5 other cases, he does not deserve the concession of bail. Learned State counsel has however, not disputed the fact that the petitioner as on date has been behind bars since the last 4 years, 4 months and 16 days and that statements of majority of the cited 21 PWs are yet to be recorded.
5. This Court has considered rival submissions addressed before this Court.



6. The petitioner indeed is specifically named in the FIR wherein allegations have been levelled that he along with other co-accused had abducted her son who was murdered and whose dead body was recovered on the next day in the bushes. Though, the petitioner is stated to have been involved in 5 other cases, but in fact he stands acquitted in 3 out of the said 5 cases and the remaining 2 cases are in respect of offence under Excise Act and under Sections 186, 427, 353, 333 IPC. In any case, given the fact that the petitioner has been behind bars for a substantial period of 4 years, 4 months and 16 days, it will not be appropriate to keep him detained indefinitely particularly when conclusion of trial is likely to consume time. 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.
7. However, in case the petitioner is found indulging in any other offence while on bail, it shall be open to the prosecution to move appropriate application seeking cancellation of bail.

03.12.2024

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No