



CRM-M-47023-2024

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

CRM-M-47023-2024

Date of Decision: 06.11.2024

Manpreet Singh @ Atto

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Narinder Singh Dadwal, Advocate for the petitioner.
Mr. J.S.Arora, DAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting him regular bail in case FIR No.224 dated 23.12.2023, under Section 379-B(2), 34 IPC, registered at Police Station Salem Tabri, District Police Commissionerate Ludhiana.

2. As per facts of the case, on 23.12.2023, the Police received a secret information to the effect that Manpreet Singh @ Atto (petitioner) alongwith his friend Rajinder Singh @ Raju was coming on motorcycle to snatch the mobile phones from people in different Mohallas by showing Datar Iron. On the basis of the secret information, Naka was laid and the persons named in the secret information were nabbed by the Police. FIR under Sections 379-B(2), 34 IPC was registered and they were arrested on the spot. The petitioner approached the Court of learned Additional Sessions Judge, Ludhiana praying for grant of regular bail, however, on hearing both the sides, learned Court declined the same vide order dated 03.08.2024. Hence, the petitioner is before this Court by way of filing the present petition praying for grant of regular bail.

3. It has been vehemently contended by counsel for the petitioner



that petitioner has been falsely and frivolously implicated in this case. He submits that in order to falsely implicate the petitioner, the story was concocted by the prosecution and on the basis of alleged secret information, he was shown to be arrested in the present FIR. He submits that there was no recovery effected from the petitioner, but the same has been falsely planted on him. He submits that though the petitioner is falsely implicated in two other cases, however, in one case, he has already been acquitted, whereas, in other case, he has not applied for the bail. He has submitted that in the present case, the petitioner is behind bars from 23.12.2023 and till date, the prosecution has not examined even a single witness. It is submitted that in the facts and circumstances of the case, the petitioner deserves to be granted bail.

4. Learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner is a habitual offender as he is involved in two other cases. He submits that on receiving the secret information, the petitioner was arrested alongwith co-accused and recovery of snatched mobile phones was also effected from him. He submits that the investigation is complete and charges are framed, however, out of total 12 prosecution witnesses, none has been examined so far.

5. Heard.

6. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner is behind bars since 23.12.2023. The FIR was registered on the basis of the secret information. Though the petitioner is involved in two other cases, however, as submitted before this Court, he has been acquitted in one case. Though charges are framed in the present case,



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however, no witness has been examined by the prosecution till date. Even if the petitioner is involved in two other cases, however, the bail would be considered on the merits of the each case.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

06.11.2024
sharmila

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No