

214

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

CRM-M-51366-2023

Date of decision: 09.01.2024

Manoj Kumar @ Mauji

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present: Mr. Tanvir Joshi, Advocate for the petitioner.

Mr. Mohit Kapoor, Addl. A.G. Punjab.

\*\*\*\*

**KARAMJIT SINGH, J. (ORAL)**

1. The petitioner has filed the present petition under Section 439 of Cr.P.C for grant of regular bail in case having FIR No.147 dated 12.07.2023 under Sections 399, 402, 307 of IPC and Section 25/27/30 of Arms Act registered at Police Station Ram Pura District Bathinda.

2. The prosecution story in nutshell is that the police received a secret information on 12.07.2023 that the accused persons including the petitioner have assembled in an abandoned brick kiln and armed with deadly weapons and planning to commit dacoity. The information being reliable, FIR was registered against the accused persons on the basis of aforesaid secret information. Then the police party raided the disclosed place from where co-accused Gurpreet Singh @ Gopi was apprehended and one pistol of 7.65 mm was recovered from his possession.

3. The counsel for the petitioner submits that the petitioner was not apprehended from the place of aforesaid recovery and he was later on arrested by the police on 15.07.2023 and there are allegations that one country-made pistol and three live cartridges were recovered from the possession of the petitioner at the time of his arrest. It is further contended that petitioner has been falsely implicated in this case and even otherwise

the petitioner is not required by the police as after completion of investigation police has presented the challan and it will take considerable time for trial to conclude. So prayer is made that the petitioner be released on regular bail.

4. The present petition is resisted by learned State counsel who submits that the petitioner succeeded in escaping from the spot and was thereafter arrested on 15.07.2023 along with one country-made pistol and live cartridges. It is further submitted that the trial is at its initial stage and no ground is made out to enlarge the petitioner on bail at this point of time.

4. I have considered the submission made by counsel for the parties.

5. Admittedly, the petitioner was not apprehended from the place of occurrence and was later on arrested on 15.07.2023 along with on country-made pistol and three live cartridges. After completion of investigation, challan has been presented against all the accused persons including the petitioner and the recoveries are already effected in this case and it will take considerable time for trial to conclude. In the given circumstances, no purpose is going to be served by keeping the petitioner in custody for any longer period even if he is involved in number of other criminal cases.

6. In light of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

**09.01.2024**

*Yogesh*

**(KARAMJIT SINGH)**  
**JUDGE**

**Whether speaking/reasoned:-**  
**Whether reportable:-**

**Yes/No**  
**Yes/No**