

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-59018-2023(O&M)
Date of decision: 09.02.2024

Manpreet Singh @ Commando
...Petitioner

Versus

State of Punjab
...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rajeev Sharma, Advocate for the petitioner.
Mr. Jashan Preet Singh, DAG., Punjab.

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No.0083 dated 20.03.2018, under Sections 120B, 307 read with Section 34 of Indian Penal Code and Sections 25 & 27 of Arms Act, 1959, registered at Police Station, Sadar Ludhiana, Police Commissionerate Ludhiana.

(2) Allegations are that petitioner along with co-accused-Mandeep Singh @ Dikki had gone to the house of complainant-Varundeep Singh on motorcycle driven by petitioner; co-accused took out the pistol and fired two gun shots upon complainant with the intention to kill him.

(3) This Court while issuing notice of motion on 23.11.2023, granted interim bail to the petitioner and which reads as under:-

*“Contends that non-appearance of petitioner on 25.07.2023 was not intentional; rather due to miscommunication with his counsel.
Notice of motion.*

On the asking of the Court, Mr. Joginder Pal Ratra, Sr. DAG, Punjab accepts notice on behalf of respondent-State and seeks time to have instructions and/or file short affidavit regarding complicity of the petitioner.

Posted for 24.01.2024.

In the meanwhile, the petitioner shall surrender before the learned trial Court within one week from today and in case of his doing so, he is ordered to be released o interim bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.”

- (4) Learned Counsel for the petitioner submits that petitioner was granted interim bail on 23.11.2023 and as such vide order dated 08.01.2024 passed by learned Additional Sessions Judge, Ludhiana, petitioner has surrendered before the Court below and was released on interim bail. Also contends that he is regularly appearing before the Court below.
- (5) The aforesaid factual position is duly acknowledged by learned State counsel.
- (6) In view of above, interim order dated 23.11.2023 is made absolute. However, petitioner shall continue to appear before the Court below.
- (7) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
- (8) It is made clear that in case of any recurrence on the part of the petitioner, the State of Punjab would be at liberty to move an application for recalling of this order.
- (9) Disposed off accordingly.
- (10) Pending application(s), if any, shall also stand disposed off.

09.02.2024
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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