



- 1-

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

102

CRM-M-20542-2025
Date of decision: 17.04.2025

PARKASH SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present : Mr. Shivender Pal, Advocate
for the petitioner.

SANDEEP MOUDGIL. J.(Oral)

1. **Relief sought**

The jurisdiction of this Court has been invoked under Section 482 BNSS seeking anticipatory bail in case FIR No.64 dated 14.03.2025, under Sections 103(1), 190, 191(3) of BNS (Section 61(2) of BNS has been added later on) and Sections 25 and 27 of Arms Act, 1959 registered at Police Station City South, District Moga.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Statement of Renu Bala wife of Mangat Ram alias Manga son of Dharampal resident of Street No. 07, Ravidas Nagar, Indira Colony, Moga, aged about 45 years, Mobile No. 88474-87600 Stated that I am a resident of the aforementioned address and work as a homemaker. I have three children: the eldest daughter Manisha Kumari, aged about 25 years; the younger one Simranjit Kaur, aged 22 years and the youngest Kusham, aged about 16 years. On 13.03.2025, at around 9:30 PM, I and my husband Mangat Ram alias Manga Sharma went to get milk from Gill Palace, opposite Sharma



- 2-

Dairy, Moga. While we were getting milk, suddenly Sikandar armed with a pistol, Varinder with a pistol, Sahil Kumar alias Laddi son of Surinderpal resident of House No. 349, Ward No. 28, Mohalla Angadpura Moga armed with a pistol, Jagga armed with a pistol, Shakkar alias Rajput alias Sahil son of Somnath resident of Matta Wala Vehra, Mora, armed with a pistol, and Arun Singla alias Sangha son of Babbu Singh resident of Angadpura Mohalla, New Town, Moga, armed with a pistol, and 2/3 unidentified persons with pistols in their hands came and started firing at my husband. My husband Mangat Ram alias Manga ran to save himself, but the aforementioned persons surrounded my husband and fired directly at him with the intention to kill him and shouted threats. Arun Singla alias Sangha fired a direct shot from his pistol into my husband's thigh and another on the left side of his chest, causing my husband to fall down there. I cried out, "Maar Ditta Maar Ditta" At this, all of them fled from the spot with their weapons. Many passersby gathered there upon my cries, and Parshotam Puri son of Late Shri Jagdish Puri, resident of Street No. 08, New Town, Moga, also came there. Then we arranged for a vehicle and brought my husband Mangat Ram alias Manga to the Civil Hospital, Moga, for treatment, where the doctor Sahib declared my husband Mangat Ram alias Manga dead. His body is lying in the Civil Hospital mortuary. The reason for this incident is that my husband was the District President of Shiv Sena Baal Thackeray (Shinde Group) and often used to visit government departments for people's issues, due to which the aforementioned persons held animosity towards my husband. My husband had told me that the aforementioned Laddi and others, who are involved in illegal activities, had threatened to kill me. Before this incident, Devinder Kumar alias Sahil son of Diwan Chand, resident of Baggeana Basti, Moga, had been shot by someone. My husband Mangat Ram alias Manga had come to the Civil Hospital, Moga, to inquire about him. After that, these individuals followed my husband

and shot him dead. My husband Mangat Ram alias Manga son of Dharampal resident of Street No. 07, Ravidas Nagar, Indira Colony, Moga, was murdered. Therefore, appropriate action should be taken against them. Statement has been written, read, and is correct. Sd/- Renu Bala, Deponent. Identification of the statement: Sd/-Parshotam Puri son of Late Shri Jagdish Puri, resident of Street No. 08, New Town, Moga."

3. **Contention on behalf of the petitioner**

Learned counsel for the petitioner contend that he has been falsely implicated in this case merely on account of his pressurizing the Police authorities for certain benefits on account of being informer in number of cases, the details of which has been given in para 1 of the petition and that can be read as under:-

FIR No	Dated	Under Sections	Police Station
113	13.07.2012	379 IPC	City South Moga
48	17.04.2013	22 of NDPS Act	City South Moga
55	22.04.2013	22 of NDPS Act	City South Moga
64	22.05.2013	15 of NDPS Act	City South Moga
136	15.09.2013	22 of NDPS Act	City South Moga
183	07.11.2013	22 of NDPS Act	City South Moga
191	25.11.2013	420/465/467 IPC	City South Moga
23	02.02.2014	15 of NDPS Act	City South Moga
70	12.04.2014	61 of Excise Act	City South Moga
72	15.04.2014	61 of Excise Act	City South Moga
190	26.10.2014	61 of Excise Act	City South Moga
116	14.07.2015	457/380 of IPC	City South Moga
36	13.03.2016	13A of Punjab Gambling Act	City South Moga
60	14.04.2016	15 of NDPS Act	City South Moga
87	11.05.2016	22 of NDPS Act	City South Moga
94	16.05.2016	22 of NDPS Act	City South Moga
95	16.05.2016	22 of NDPS Act	City South Moga
226	01.11.2016	61 of Punjab Excise Act	City South Moga
184	15.09.2017	22 of NDPS Act	City Moga
196	27.09.2017	22 of NDPS Act	City Moga
191	28.09.2017	18 of NDPS Act	City South Moga
110	14.06.2018	22 of NDPS Act	City Moga
145	06.07.2018	22 of NDPS Act	City Moga

177	12.08.2018	22 of NDPS Act	City Moga
204	24.09.2018	22 of NDPS Act	City Moga
257	16.12.2018	22 of NDPS Act	City Moga

It is also asserted that there is no direct evidence available with the prosecution except the supplementary statement given by co-accused Arun Singh @ Deepu.

Notice of motion.

On behalf of the State

On the asking of the Court, Mr. Jastej Singh, DAG, Punjab accepts notice on behalf of the respondent-State, who seeks dismissal of the instant petition by contending that the petitioner along with Jagdev @ Jagga conspired for the murder of Mangat Ram @ Manga on account of having dispute for an amount involved to the tune of Rs.5 lakhs.

This Court has taken into account that the Sessions Court had granted the concession of anticipatory bail and directed the petitioner to join the investigation. However, ASI Lakhbir Singh repeatedly prevented him from doing so and continued to press for custodial interrogation, thereby misrepresenting the petitioner’s conduct on a false premise. It is also not denied by the learned State Counsel that he had acted as an informer in several cases under the NDPS Act, the Excise Act, as well as a few cases under the Gambling Act, assisting the law enforcement agencies in apprehending offenders.

Apart from the above assertions made on behalf of the State as has been recorded in the earlier part of the order, there is no incriminating evidence to put-forth to establish any active role of the petitioner except the supplementary statement against him that too is vague without any specific role being attributed



- 5-

to him.

Analysis

Looking into the totality of the prevailing facts and circumstances and having gone through the record and after hearing respective counsels, I am of the considered view that the case put-forth by the prosecution at this stage lacks material evidence to connect the petitioner with the commission of murder, except the supplementary statement. Though without addressing to the grievance raised in the instant petition by the petitioner, attributing allegations against ASI Ladbir Singh that he has not permitted him to join the investigation, this Court now directs the petitioner to join the investigation on 18.04.2025 at 10:00 AM. In case of doing so, petitioner be released on anticipatory bail on furnishing of personal/surety bonds to his satisfaction for the reason that custodial interrogation of the petitioner is not required as it would be of no fruitful purpose to put the petitioner behind the bars.

Relief

In order to avoid any controversy or inconvenience to either of the parties i.e. petitioner or the State, Inspector Varun Kumar shall facilitate joining of the petitioner into the investigation on 18.04.2025 at 10:00 AM.

However, the petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;



- 6-

(ii) a condition that the person 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 from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week and comply with the aforesaid condition under Section 482(2) of BNSS, 2023, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

17.04.2025
amandeep

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No