

2025:PHHC:083701



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

227

CRM-M-35201-2025

Date of decision: July 11, 2025

MANPREET SALLAN @ MONU

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Kartikeya Swaroop Mehta, Advocate (through VC)
for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab
with ASI Kabal Singh.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case FIR No.199 dated 24.07.2023 under Sections 379-B, 411, 148 of Indian Penal Code, 1860 (and Section 22 of the Narcotic Drugs and Pyschotropic Substances Act, 1985 added later on), registered at Police Station Phillaur, District Jalandhar (Annexure P-1).

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 26.07.2023 pertaining to an occurrence, which took place on 24.07.2023 at a toll plaza; allegedly, some unknown boys came in a car and after snatching Rs.23,50,000/- (collection for the day) from the complainant, fled away from the spot. It has been submitted that a perusal of the FIR (Annexure P-1) further reveals that one of the assailants also assaulted him with a stick. While further drawing the attention of this Court to the allegations levelled in the FIR, it has been contended that as per



the case of the prosecution itself, two out of those four persons had muffled their faces and pertinently, no description of the physical features of those alleged assailants had been given at the time of the lodging of the FIR. Hence, learned counsel for the petitioner submits that in the circumstances, it does raise eyebrows as to how subsequently on the basis of a supplementary statement, the petitioner could have been nominated by name by the complainant.

3. It has been submitted that after the investigation was completed, challan was presented on 07.11.2023 followed by framing of charges on 13.01.2024. However, the trial was still underway as only one witness out of the 19 cited by the prosecution had been examined.

4. On being pointedly asked, learned counsel submits that in the present case, the most material witness i.e. the complainant – Sudhakar Singh, on whose supplementary statement, the petitioner came to be nominated as an accused, has been examined. A prayer has, therefore, been made to enlarge the petitioner on bail as the possibility of the trial concluding in the near future does not arise and there can be no risk of the petitioner intimidating/influencing the material witness.

5. Learned State counsel has filed the custody certificate of the petitioner in the Court today, which is taken on record subject to all just exceptions.



6. *Per contra*, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions, has not disputed the custody period of the petitioner nor has he disputed that the sole material witnesses in the present case i.e. Sudhakar Singh, on whose supplementary statement the petitioner was nominated as an accused in the present case, stands examined. It has also not been disputed by the learned State counsel that the FIR was registered against unknown assailants, out of whom, two were purportedly wearing masks. It has been still further submitted that the next date of hearing fixed before the learned trial Court is 08.08.2025, when some of the remaining 18 witnesses are likely to be examined. Learned State counsel has further submitted that an iron *datar* along with approximately Rs.1 lakh was recovered from the petitioner after he was arrested on 26.07.2023.

5. I have heard learned counsel for the parties and perused the relevant material placed on record.

6. The petitioner has been in custody since 26.07.2023. The sole material witnesses i.e. Sudhakar Singh, on whose supplementary statement the petitioner was nominated as an accused, since stands examined. Furthermore, there is no possibility of the trial concluding in the near future as 18 prosecution witnesses still remain to be examined.

7. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of regular bail to the petitioner.



Accordingly, the instant petition is allowed, and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

9. Needless to add here, in case the petitioner is found misusing the concession of bail, the State would be at liberty to approach this Court to seek cancellation of bail to him.

July 11, 2025
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*