

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****206****CRM-M-58145-2024 (O&M)****Date of Decision : 07.01.2025**

Manjit Singh

....Petitioner

VERSUS

Union Territory, Chandigarh

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Ms. R.K. Grewal, Advocate for the petitioner.

Mr. Akashdeep Singh, Addl. PP UT Chandigarh.

Mr. Abhey Joshi, Advocate for the complainant.

ALKA SARIN, J. (Oral)

1. This is the second petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.121 dated 07.09.2022 under Sections 406, 498-A, 420, 323, 376, 506 and 120-B of the Indian Penal Code, 1860 (Sections 467, 468 and 471 IPC were added later on) registered at Police Station Sector 11 (West), Chandigarh.

2. Learned counsel for the petitioner would contend that the petitioner has been implicated in the present case with the aid of Section 120-B IPC and there are no allegations against the petitioner qua the offence under Section 376 IPC. It is further the contention that the petitioner has been keeping unwell and was also referred to the Emergency and OPD at Government Medical College and Hospital, Sector 32, Chandigarh for further treatment. The petitioner has been diagnosed for Coronary Artery Disease, Hypertension, Comprehensive Myelopathy with Chronic Diarrhoea,

which fact has also been corroborated by the State in their reply filed in CRM-M-4291-2024, which was an interim bail application filed by the petitioner on medical grounds. Learned counsel for the petitioner would further contend that the petitioner has been in custody for a period of 02 years 03 months and 08 days.

3. Status report has been filed as per which there are no allegations against the petitioner under Section 376 IPC and the only allegation against the petitioner is that he had impersonated as the *Mama* of the main accused, namely, Jagjit Singh and the *Doli* was also taken to his house. Custody certificate has also been filed as per which the petitioner has been in custody for a period of 02 years 03 months and 08 days. Learned Addl. PP UT Chandigarh is also not in a position to deny the fact that there have been certain medical issues with the petitioner for which he has been under treatment.

4. Learned counsel appearing on behalf of the complainant would contend that the petitioner is one of the main conspirators in the present case and that the *Doli* had also gone to his house.

5. Heard.

6. In the present case the petitioner has already been in custody for a period of 02 years 03 months and 08 days and the allegations under Section 376 IPC are not against him. The only allegation against the petitioner is that he had impersonated as *Mama* of Jagjit Singh and that the *Doli* was taken to his house. Even otherwise the petitioner has been diagnosed with multiple medical issues for which he is under treatment.

7 In view of the above and without commenting upon the merits of the case, I deem it to be a fit case to grant the concession of regular bail to the petitioner. The petitioner is directed to be released on bail subject to his furnishing bail bonds with adequate surety to the satisfaction of the Trial Court/Additional Sessions Judge (Duty) concerned.

8. However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

9. It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

10. Disposed off. Pending applications, if any, also stand disposed off.

07.01.2025
jk

**(ALKA SARIN)
JUDGE**

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO