



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-62471-2024 (O&M)
Date of Decision:- 02.07.2025

MANMOHAN SINGH ALIAS MOHAN

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Kushagra Mahajan, Advocate for the petitioner.

Mr. Roshandeep Singh, AAG Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
125	07.11.2023	379-B, 34 IPC; (148, 149, 379B(2) IPC and 25 and 27 Arms Act added later on); (379-B and 34 IPC deleted later on)	Division E, District Amritsar

2. It is *inter alia* contended by learned counsel for the petitioner that the petitioner, having no concern with the allegations levelled in the FIR, has been falsely implicated in this case. He submits that the petitioner is in custody since 08.11.2023 and is not having any other criminal case



registered against him. He contends that the during the course of trial, all the material witnesses of the prosecution including the alleged eye-witness have been examined and they have not supported the case of prosecution and have turned hostile. He has referred to the statements of PW-1/Baljit Singh, PW-2/Amit Kumar, PW-3/Sahib Singh and PW-4/Sujal @ Monu in this regard. He submits that co-accused Jatinder Singh @ Mithu, Princepal Singh @ Sidhu and Gurjinder Singh @ Guri have already been granted the concession of bail by this Court and prays for grant of bail to the petitioner.

3. *Per contra*, learned State counsel referring to the short reply filed by the State, has opposed the petition on the ground of serious nature and gravity of the offence. However, on a query, he has not disputed the fact that the material witnesses of the case have not lent any support to the case of prosecution against the petitioner.

4. After considering the rival contentions and perusing the record, it is observed that the instant case was registered on the complaint of Nitish Sarin to the effect that on 07.11.2023 at about 9:50 pm, while he was present in his shop, five persons armed with weapons entered the shop and by putting him under fear, had forcibly taken away cash box and his mobile phone. Subsequently, the petitioner was arrested on 08.11.2023 and after completion of investigation, challan has already been presented in Court, wherein the eye witnesses namely PW-1/Baljit Singh, PW-2/Amit Kumar, PW-3/Sahib Singh and PW-4/Sujal @ Monu have been examined, who have not supported the case of the prosecution against the petitioner and were declared hostile.



5. The perusal of record would reveal that the material witnesses of the case have since been examined by the prosecution and have not supported the case of prosecution against the petitioner and in fact turned hostile. The petitioner is not having any criminal antecedents and he is in custody since 08.11.2023. The conclusion of trial to ascertain criminal liability, if any, will take sufficient long time, as such, no purpose would be served by detaining petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

8. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

02.07.2025

S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No