

CRM-M-13886-2017

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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Date of Decision: 04.08.2017

Gurdeep Singh @ Babbar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. P.S.Ahluwalia, Advocate,
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

Ms. Jatinderjit Kaur, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner-Gurdeep Singh @ Babbar has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.03 dated 09.01.2015, registered at Police Station Longowal, District Sangrur, under Sections 302, 201, 379, 411 and 120-B of the Indian Penal Code and Section 25 of the Arms Act, 1959.

Notice of motion was issued. Learned State counsel appeared on behalf of respondent-State and complainant also put in appearance through his counsel. They contested the instant petition.

I have heard learned counsel for the parties as well as

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learned State counsel and gone through the record.

At the time of arguments, learned counsel for the petitioner argued that the present petitioner is not named in the FIR. The petitioner alongwith co-accused have been nominated on the basis of secret information. He also argued that 12 bore gun and live cartridges were recovered from the present petitioner regarding which a separate case was registered and he has been acquitted. He further argued that the complainant has been examined in the trial Court, who stated that clothes of the deceased were lying on the spot in a bag. He further contended that neither there is any last seen evidence nor there is any extra judicial confession made by the accused. There is no evidence regarding recovery on the basis of disclosure statement. He further argued that certain cause of death has not been given by the doctor.

However, learned State counsel argued that on the car of deceased, finger-prints were founds.

After going through the record as well as in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find that the petitioner has been in custody since 19.01.2015 and, therefore, he is now not required for any investigation or interrogation purposes and no useful purpose will be served by keeping him in custody till the final disposal of the case which may take a long time. Therefore, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in

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the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

04.08.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No