

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

**CRM-M No. 38690 of 2017
Date of Decision: 30.10.2017**

Gurbhej Singh @ Harbhej Singh @ BhejaPetitioner
v.

State of PunjabRespondent

CORAM HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present:- Mr. Upender Prasher, Advocate, for the petitioner
Ms. Jaspreet Kaur, AAG, Punjab

SHEKHER DHAWAN, J.

Present petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No. 219 dated 27.8.2015, under Sections 307, 506, 148 and 149 IPC and Sections 25 and 27 of Arms Act, registered at Police Station Sultanwind, District Amritsar City.

Learned counsel for the petitioner contended that the petitioner is in custody since 9.11.2015 although there is nothing against him in the present case. The allegations set up by complainant Inderjit Singh are against one Judge Singh, co-accused and the allegations are vague that he was accompanying 10-12 un-identified persons. Subsequently, his name was disclosed on the basis of supplementary statement i.e. After a period of 18 days. Apart from that, there is no other allegations against him and no recovery was effected from his possession. Trial of the case still to take some time, so the petitioner be released on bail.

Learned State counsel opposed the bail petition on the ground that name of the petitioner was on the basis of supplementary statement recorded during investigation. More so, the petitioner is habitual criminal and involved in 15 more cases, so he does not deserve the concession of bail.

Having considered the submissions made by learned counsel for the parties and consideration of the record, the Court finds that the petitioner is in custody since 9.11.2015. The allegations of firing are primarily against Judge Singh. The name of the petitioner was not mentioned in the FIR, rather it was cropped up in the supplementary statement recorded during investigation after a period of 18 days. Nothing has been recovered from him in this case; trial of the case still to take some more time and no useful purpose would be served by detaining the present petitioner behind the bars, therefore, the present petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Amritsar.

Nothing said here-in-above shall be construed to be an expression of opinion on the merits of the case.

The present petition stands disposed of.

(SHEKHER DHAWAN)
JUDGE

30.10.2017

Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No