

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

CRM-M-10036-2018

Date of decision:-1.6.2018

Gurpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Sahil Puri, Advocate
for the petitioner.

Mr.Saurav Khurana, DAG, Punjab.

H.S. MADAAN, J.

This petition for regular bail has been filed by petitioner - Gurpreet Singh – an accused in FIR No.73 dated 30.11.2015, under Sections 323, 341, 307, 34 IPC and 25/27 of Arms Act, registered at Police Station Talwandi Chaudhrian, District Kapurthala.

Briefly stated, facts of the case as per prosecution story are that on 30.11.2015 complainant - Surinder Singh along with his mother was going to Civil Hospital, Tibba; that at about 8:50 a.m., when they had reached culvert of village Tibba, then they were intercepted by Joginder Singh, a cousin brother of complainant, who was accompanied by another unknown person; that in the meanwhile Palwinder Singh, another cousin

of complainant came out of the car and threatened mother of the complainant; that he raised a *lalkara* on which accused Joginder Singh fired a shot from his pistol at the complainant with an intention to kill him; that Palwinder Singh along with the unknown person caused injuries to the complainant with baseball bat; that Joginder Singh also tried to kill the complainant by strangulating his neck; that Palwinder Singh along with unknown person tried to put the complainant into the car; that on alarm being raised by the mother of the complainant, all the accused ran away from the spot. After registration of the formal FIR, the matter was investigated. Joginder Singh and Palvinder Singh were arrested. Joginder Singh suffered a disclosure statement and disclosed the identity of unknown person as Gurpreet Singh (present petitioner). He was also arrested in this case but had been granted bail. He jumped bail during the trial on 2.6.2017, resultantly, his bonds were cancelled and forfeited to the State and he was ordered to be summoned through non-bailable warrants. He was declared a proclaimed offender vide order dated 18.9.2017. Later on he was arrested on 6.10.2017. The petitioner had moved an application for regular bail but the same was declined by Additional Sessions Judge, Kapurthala vide order dated 20.12.2017, as such, he has approached this Court with same request.

Notice of the petition was given to respondent – State and counsel representing the State puts in appearance.

I have heard learned counsel for the parties besides going through the record.

The past conduct of the petitioner in jumping bail and then

being on run, not appearing in the Court despite being declared a proclaimed offender vide order dated 18.9.2017 and his presence could be procured when he was arrested on 6.10.2017 goes to show that petitioner cannot be relied upon to appear in the Court regularly, if granted bail. There are reasonable chances of his absconding and tampering with the prosecution evidence, if granted bail. As per the custody certificate filed by the State, besides this case, the petitioner is involved in three more cases, details of which are as under:

1. FIR No.34/2014, under Sections 323, 324, 325, 34 IPC, PS Bhogpur, District Jalandhar.
2. FIR No.141 dated 18.9.2015, under Sections 323, 341, 506, 34 IPC, PS Bhogpur, District Jalandhar.
3. FIR No.137 dated 22.11.2016, under Sections 323, 452, 341, 506 IPC, PS Bhogpur, District Jalandhar.

It shows that the petitioner has got a criminal past. As stated by the State counsel, the trial against the petitioner is going on and seven prosecution witnesses have been examined only four PWs remained to be examined with next date of hearing on 13.6.2018. In that way, the trial is likely to be concluded in near future. The guilt of the petitioner shall be determined during the trial. No case for grant of regular bail is made out.

Finding no merit in the petition, the same stands dismissed.

1.6.2018
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No