

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

**CRM-M No.13236 of 2018
Date of Decision: 04.04.2018**

**Davinder Singh
Vs**

.....Petitioner

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

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

Mr. Hittan Nehra, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.146 dated 08.12.2017 registered under Sections 399, 402, 473, 412, 411 IPC and 25 of the Arms Act at Police Station Tappa Mandi, District Barnala.

FIR was registered on the basis of secret information that three persons namely Gurdeep Singh @ Mana, Davinder Singh (petitioner) and Gagandeep Singh @ Gagna (members of a gang) having illegal weapons were planning to loot petrol pump and snatch the vehicles. They were allegedly present in a

Hero Honda City Car with a fake number and also with a stolen Pulsar motorcycle. FIR was registered and raid was conducted. Petitioner was arrested after three days of occurrence and two .12 bore live cartridges were recovered from the petitioner, besides car in which petitioner and Gurdeep Singh @ Mana were travelling.

Learned counsel for the petitioner submits that FIR was registered on the basis of secret information and no raid was conducted on 08.12.2017, rather the raid was conducted on 11.12.2017, but the facts were wrongly pleaded before the Additional Sessions Judge in the context of date of raid and number of cases in which petitioner was involved. In fact, petitioner was involved in nine cases as detailed in the order passed by the Additional Sessions Judge, Barnala. Learned counsel for the petitioner has attached judgment of acquittal dated 28.01.2014 in case bearing FIR No.193 dated 16.08.2009 registered under Sections 452, 323, 34 IPC at Police Station Patran, judgment of acquittal dated 11.08.2014 in case bearing FIR No.279 dated 08.10.2013 registered under Sections 420, 419, 467, 468, 471, 120-B IPC at Police Station Patran, order of bail dated 26.05.2015 in case bearing FIR No.72 dated 25.04.2015 registered under Sections 353, 186, 332 IPC at Police Station Patran, judgment of acquittal dated 24.02.2015 in

case bearing FIR No.32 dated 11.02.2010 registered under Sections 419, 420, 467, 468, 471, 120-B IPC at Police Station Patran, judgment of acquittal dated 05.01.2015 in case bearing FIR No.101 dated 18.09.2013 registered under Sections 365, 354, 328, 423, 376-D, 323, 506, 120-B and 149 IPC at Police Station Khanauri, judgment of acquittal dated 22.07.2016 in case bearing FIR No.159 dated 24.11.2013 registered under Sections 36, 395 IPC at Police Station Rajound, judgment of acquittal dated 23.12.2014 in case bearing FIR No.37 dated 05.05.2013 registered under Sections 420, 406 IPC at Police Station Ghola, judgment of acquittal dated 03.11.2015 in case bearing FIR No.116 dated 14.07.2013 registered under Sections 120-B, 364-A, 323, 342, 385, 465, 468, 471, 201 IPC at Police Station Nabha and judgment of acquittal dated 14.11.2017 in case bearing FIR No.257 dated 29.10.2017 registered under Sections 379, 414 IPC at Police Station Patran.

Learned State Counsel however opposed the bail on the ground of involvement of the petitioner in number of cases.

In view of status of the petitioner viz-a-viz number of cases against him and without meaning anything on the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

April 04, 2018.
Prince

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No