

Crl. Misc. No. M-17812 of 2018

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-17812 of 2018

DATE OF DECISION:29.05.2018

Gurpreet Singh @ Gopa

.....Petitioner

Versus

State of Punjab

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Munish Gulati, Advocate
for the petitioner.

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

DAYA CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 217 dated 4.10.2017 registered under Sections 379-B, 427, 399, 392, 120-B IPC and Section 25 of Arms Act added subsequently and Section 428 IPC (withdrawn subsequently) at Police Station Hathur, District Ludhiana, during pendency of the appeal.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the case on the basis of statement made by Mandeep Singh @ Mintu under Section 161 Cr.P.C. after two days of occurrence, which creates doubt. Learned counsel further contends that as per allegations in the FIR some unknown persons have committed snatching of kit bag containing a sum of ₹33128/- and some important documents from the complainant while he was going back to Sub Centre of his Company. Learned counsel also contends that recovery has already been

effected and the petitioner is in custody since 10.10.2017 and no useful purpose would be served by keeping him in custody. It is also the argument of learned counsel that challan has already been presented and charges have yet to be framed. At the end, learned counsel contends that the petitioner is not having any criminal background as no case of criminal nature is pending against him. Co-accused of the petitioner namely, Gurmeet Singh was released on anticipatory bail and Dalwinder Singh @ Arshi and Avtar Singh have been released on regular bail vide orders dated 18.1.2018 and 11.12.2017.

Heard the arguments advanced by learned counsel for the parties and have also gone through the contents of the FIR and other documents available on the file.

Admittedly, the recovery has already been effected and challan has also been presented. Charges are yet to be framed and co-accused of the petitioner namely, Avtar Singh and Dalwinder Singh @ Arshi have been released on regular bail, whereas, Avtar Singh was released on regular bail by this Court vide orders dated 18.1.2018 and 11.12.2017. There is no other case against the petitioner and trial may take long time to conclude.

Accordingly, the present petition is allowed and petitioner, namely, Gurpreet Singh @ Gopa is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court.

May 29, 2018
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes