

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-42932-2017 (O&M)

Date of Decision: 14.03.2018

Gurpreet Singh @ Lehmbar

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. A.K. Walia, Advocate for the petitioner.

Ms. Jaspreet Kaur, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.191 dated 26.11.2016 under sections 399, 402 I.P.C and sections 25, 27 of Arms Act (section 29 of Arms Act was added later on), registered at Police Station, Sadar Jagraon, District Ludhiana.

Learned counsel for the parties have been heard.

As per prosecution version, based on secret information a raid was conducted and the present petitioner along with a number of other co-accused, were nabbed and on the allegation that they had assembled together, were members of a gang and had made preparations for committing robbery.

Petitioner was arrested on 26.11.2016.

An alleged recovery of two pistols and 30 live cartridges is stated to have been made from him.

It stands uncontroverted that co-accused namely Lakhwinder Singh @ Lucky, Sukhjinder Singh @ Sharpy, Jaswinder Singh @ Khillu, Gurmanjot Singh @ Guran, Sanjeev Kumar @ Sanju, Raminderjit Singh @

Ravi, Beant Singh, Sukhvir Singh @ Sukha, Devinder Singh @ Bindri, Harjinder Singh @ Jinder, have been granted concession of bail by this Court in terms of orders appended along with the instant petition.

Trial is stated to be at the very initial stage as no prosecution witness has been examined as of date.

The prayer for bail had been opposed on behalf of the State on the ground that petitioner was a habitual offender and was involved in a number of other FIRs. Accordingly, on a previous date of hearing i.e. 18.1.2018, this Court had directed the filing of a specific affidavit bringing forth the details of other FIRs in which the petitioner is an accused and the current status thereof.

In compliance of the directions issued by this Court, an affidavit dated 2.2.2018 of the Dy.S.P, Jagraon Police, District Ludhiana (Rural) has been placed on record. Perusal of the same would reflect that petitioner apart from the instant petition was arraigned as an accused in 14 other FIRs and in almost all of them either the trial has culminated in the acquittal of the petitioner, whereas in others a cancellation/untraced report has been filed by the police.

In the totality of circumstances and without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate concerned.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

14.03.2018
lucky

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No