

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-46434 of 2017

Date of decision: March 20, 2018

Raghu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Umesh Sharma, Advocate for the petitioner.

Mr. A.A. Pathak, Addl. Advocate General, Punjab.

Rajan Gupta, J.

This is a petition under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner under Sections 307, 224, 148 and 149 IPC and Sections 25 and 27 of the Arms Act, at Police Station Nawan Shahar Sadar, District S.B.S. Nagar, vide FIR No.0012 dated 05.02.2016.

The FIR was registered on the basis of statement made by Head Constable Chamkaur Singh, who stated that on 4.2.2016, he alongwith Constable Paramjit Singh, after producing accused Akul Kumar in the Family Court at Nawanshahr, had to take him to Central Jail, Faridkot. Before proceeding, a person posing himself to be brother of the accused, met them and hired a taxi from Taxi Stand, Nawanshahr on the asking of accused Akul Kumar. He also accompanied with them in the taxi. When they were on its way back alongwith the accused, accused Akul Kumar asked the police officials that he had to vomit. Taxi was got stopped. At that time a car stopped in front of the taxi, from which four persons armed

with pistols alighted. Three persons threatened both the police officials with dire consequences and they even snatched the weapon from the Head Constable. One of them pointed gun on him. Thereafter, the assailants succeeded in getting the accused released from the custody of police officials.

According to State counsel, petitioner is also involved in five other cases of similar nature and he is a well known Gangster. The petitioner alongwith co-accused is stated to have facilitated the escape of an undertrial from the custody of the police. This apart, petitioner is stated to be involved in five other cases i.e. FIR No.58 dated 15.9.2014, under Section 21, 22 of NDPS Act, Police Station Division-D, District Amritsar, FIR No.237 dated 20.10.2015, under sections 379, 506, 382 IPC and Section 25 of Arms Act, Police Station Jandiala, District Amritsar, FIR No.166 dated 29.10.2015, under Sections 307, 336, 148, 149 IPC and 25 of Arms Act and FIR No.120 dated 10.11.2015, under sections 392, 148, 149, 120-B IPC and 25 of Arms Act, Police Station City Batala, Distt. Gurdaspur. I, thus, find no ground to enlarge the petitioner on bail. The petition is devoid of merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

March 20, 2018
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No