

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-9125 of 2019

DATE OF DECISION:-05.03.2019

BALBIR SINGH @ BIR

...PETITIONER...

V.

STATE OF PUNJAB

...RESPONDENT...

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Ajay Pal Singh Rehan, Advocate,
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner, in a case, arising from FIR No.229 dated 13.10.2018, registered under Sections 307, 353, 186, 332, 333, 427, 34 IPC (Sections 120-B, 473, 411 and 201 IPC added subsequently) and Section 25 of the Arms Act, 1959, Police Station Civil Lines Batala, Police District Batala, District Gurdaspur.

According to the prosecution, on 13.10.2018, co-accused of the petitioner namely Jodhbir Singh and Gursewak Singh @ Sewak robbed Toyota Innova car from a Toyota Showroom at Amritsar and drove the same towards Batala side. On flashing of this information, police swung into action. DSP Varinderpreet Singh started chasing the robbed Innova car and when signaled to stop it, Jodhbir Singh, who

was driving the car instead of stopping it, dashed into his official jeep causing multiple injuries to DSP Varinderpreet Singh. The aforesaid co-accused of the petitioner tried to run away from the spot by firing upon DSP and police party. However, police party succeeded in apprehending Jodhbir Singh, whereas, Gursewak Singh @ Sewak escaped. On interrogation, Jodhbir Singh disclosed the names of his accomplice namely, Gurpreet Singh, Nirmal Singh @ Nimma, Kanwalpreet Singh @ Kanwal Gurbhej Singh @ Bheja. Consequently, all these persons were arrested. During interrogation, Nirmal Singh @ Nimma and Kanwalpreet Singh @ Kanwal made disclosure statements that at one point of time, they had purchased a country made revolver from the petitioner, which they were using in committing robberies.

Learned counsel contends that petitioner has falsely been implicated in the instant case. He is not found to have committed any dacoity or robbery. The petitioner is in custody since 31.10.2018. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner in jail any more during trial.

On the other hand, learned State counsel opposing the bail to the petitioner, contends that recovery of .32 bore revolver and 5 live cartridges were effected from the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on interim

bail till conclusion of trial, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

Disposed of.

05.03.2019
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(RAMENDRA JAIN)
JUDGE

whether speaking/reasoned:
whether reportable:

Yes/No
Yes/No