

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-45308-2018

Date of Decision: 27.05.2019

Gurmeet Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Vipin Mahajan, Advocate for the petitioner.

Mr. AS Gill, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Custody certificate filed by learned State counsel is taken on record. Be tagged at the appropriate place.

Through this petition under Section 439 Cr.P.C., petitioner- Gurmeet Singh, has prayed for grant of regular bail in case FIR No. 67 dated 25.12.2012 registered under Sections 307, 399, 402, 148 and 149 IPC and Sections 25 and 27 of the Arms Act, 1959 at police Station Mattewal, District Amritsar (Rural).

According to the prosecution, on 25.12.2012, the petitioner along with his 10 accomplice, namely; Gurpreet Singh @ Gopi, Gurdeep Singh, Ankul Sharma, Pardeep Singh, Vipin Kumar, Jagdeep Singh and some un-identified persons, duly armed with deadly weapons were planning to commit dacoity, while sitting on tubewell of Sulakhan Singh @ Babbar. On conducting raid by SHO/Inspector Rajbir Singh, the

petitioner and his accomplice fired upon the police party, with intention to flee away, but the police succeeded in apprehending some of them.

Learned counsel *inter alia* contends that petitioner is in custody since 21.07.2018. All other co-accused of the petitioner were granted bail in around 3-4 months of custody. The petitioner has already suffered a lot for his alleged mis-conduct of not surrendering before the police in time and his declaration a proclaimed offender. Conclusion of trial may take a long time. No useful purpose would be served by detaining him in jail.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Gurmeet Singh, is ordered to be released on bail pending trial, if, not required in any other case, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

May 27, 2019

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No