

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-30675 of 2019
Date of Decision: 25.07.2019

Gurbachan Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Tarun Vir Singh Lehal, Advocate
for the petitioner.

Mr. Avtar Singh Sandhu, Addl. AG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.38 dated 30.05.2019 registered for offences punishable under Sections 385, 336, 506 read with Section 34 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Bhaini Mian Khan, District Gurdaspur. (Offences punishable under Sections 411 and 379 IPC were added later on).

Heard.

Learned State counsel on instructions from ASI Jagdish Singh submits that the petitioner was nominated on the statement of one Sarwan Singh of village Chaunta. After his arrest recovery of .315 bore pistol, one live and two empty cartridges was effected from his possession. The police has also taken into possession his mobile phone, call details of which were also obtained, and on the basis of those call details location of the petitioner was found at the place of occurrence. The voice sample of petitioner has

also been sent to CFSL and report is still awaited.

As per case of prosecution, a shot was fired at the house of complainant on 28.05.2019, which hit shutter of their shop. On 29.05.2019, complainant received a ransom call, which was repeated twice in the afternoon on the same day. In the evening two persons came on a motorcycle and fired shot towards shop of complainant and then fled away towards village Chak Sharif. During investigation identity of persons, who came on motorcycle was established from their call details and statement of witnesses. To verify ransom calls made to complainant voice sample of petitioner was taken and sent for matching.

Keeping in view the gravity of offence and the fact that the matter is still under investigation, I find no reason to extend the benefit of regular bail to petitioner at this stage.

Dismissed.

July 25, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No