

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M No.41711 of 2019
Date of decision: 03.10.2019**

Kulwinder Singh @ Ladu Baba

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G.S. Bhatia, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.56 dated 10.08.2017 registered under Sections 394 of the Indian Penal Code (in short 'IPC') and 25/27 of the Narcotic Drugs and Psychotropic Substances Act (in short 'the NDPS Act') at Police Station Sarai Amanat Khan, District Tarn Taran (challan presented under Section 394 IPC later on).

Counsel for the petitioner has submitted that as per the allegations in the FIR, the complainant Gurdeep Singh has alleged that four unknown persons with muffled faces came on two motorcycles at the shop of the complainant, out of which 03 were Hindu gentlemen and 01 was Sikh gentleman. The accused persons were holding pistols and pointed the same against the complainant and his grandson – Amarjit Singh and his servant Angrez Singh and took away Rs.48,000/- from the cash box and when the grandson of the complainant tried to stop them, the Sikh gentleman gave a fire shot with his pistol, which hit

him on his left thigh and thereafter, they ran away from the spot.

Counsel for the petitioner has further submitted that the petitioner is in custody for the last 01 year and 11 months and the case is still at the stage of recording of the prosecution evidence.

Counsel for the State, on the other hand, has submitted that the statement of PW1 – Gurdeep Singh stands recorded before the trial Court and in his statement, he has duly identified the petitioner as one of the assailant.

Counsel for the State, on instructions from ASI Salwinder Singh and on the basis of the Custody Certificate, filed in the Court today, has also stated that the petitioner is involved in number of other FIRs of similar nature.

In view of the above, considering the fact that the petitioner is a habitual offender and also in view of the fact that the complainant i.e. PW1 – Gurdeep Singh has duly identified the petitioner as one of the assailant, no ground for grant of regular bail to the petitioner is made out.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

03.10.2019
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No