

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-46607-2019

Date of decision: 06.11.2019

Gulshan Singh @ Gosha

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sidhant Mehra, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.007 dated 31.01.2019 under Sections 459, 379-B, 411 IPC and Sections 25/54/59 of Arms Act, registered at Police Station Shahpurkandi, District Pathankot.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of Vinay Kumar @ Bablu, he was present in a shop along with its owner Ramesh Mahajan, when five young persons entered the shop. Three of them were holding firearm and were in the age group of 22-25 years and they snatched the bag containing money from owner of the shop Ramesh Mahajan. It is further submitted that the petitioner was later on nominated on the basis of disclosure statement of co-accused and challan stands presented. Learned counsel further submits that even in the CCTV footage, five persons are shown and the petitioner is nominated as 6th accused in the challan.

Learned counsel for the petitioner has further submitted that the petitioner was, in fact, involved in an FIR No.12 dated 23.03.2019 under Sections 379-B, 467, 468, 471, 473, 34 IPC and Section 25 of Arms Act, Police Station Nangal Bhoor, District Pathankot, in which he has already been granted the concession of bail by this Court vide order dated 05.11.2019 passed in CRM-M-46353-2019. It is further submitted that five other co-accused are also involved in another FIR under Section 307 IPC registered in Jammu and Kashmir, which shows that they are together, however, the petitioner has no connection with them.

Learned State counsel has filed the custody certificate dated 04.11.2019 in the Court today and on instructions from SI Satbir Singh, has not disputed the fact that the petitioner is on bail in FIR No.12 and challan stands presented in the present FIR.

Without commenting anything on merits of the case, considering the aforesaid submissions made by learned counsel for the parties, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

06.11.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No