

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

CRM-M No.7123 of 2020 (O&M)

Date of Decision : 12.06.2020

Gopi @ Gurpreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

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

Mr. Ajay Pal S. Gill, Dy. Advocate General, Punjab
for the Respondent/State.

SUDIP AHLUWALIA, J. (ORAL)

CRM No.12363 of 2020

For the reasons mentioned in the application, the Applicant/
Petitioner is permitted to place on record copy of the Complainant's
Supplementary Statement dated 3rd November, 2018 (Annexure P-4),
subject to all just exceptions.

Application stands disposed off.

CRM-M No.7123 of 2020

The instant Petition has been filed under Section 439 of the
Code of Criminal Procedure seeking Regular Bail in case FIR No.231, dated
21.10.2018, registered under Sections 397/34/307/201/148/149 of the
Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 at Police
Station Jandiala, Amritsar Rural, District Amritsar.

2. The Petitioner has remained in detention for almost 06 months.
3. Admittedly, the Petitioner was not named in the original FIR.
But he was subsequently arrested on the strength of a Supplementary

Statement allegedly given by the Complainant-Paramjeet Singh on 3rd November, 2018.

4. Attention of the Court has been drawn to the said Statement, from which it transpires that the Complainant had mentioned about involvement of one Gopi son of Kulwant Singh as the main culprit in the occurrence. But submission on behalf of the Petitioner, in this regard, is that although his name is Gopi @ Gurpreet Singh but he happens to be the son of one Surjit Singh and not of Kulwant Singh, as mentioned in the Supplementary Statement.

5. It has been further submitted that inspite of completion of investigation no steps were taken by the Police for Test Identification of the Accused/Petitioner in order to remove any doubt that only the father's name of the culprit was wrongly stated by the Complainant and that it was not actually a case of any mistaken identity.

6. In such circumstances, considering that in any event investigation has already been completed but trial has not yet commenced and even the charges are yet to be framed, in the opinion of this Court further detention of the Petitioner for an indefinite period will not serve any useful purpose.

5 For the aforesaid reasons, the present Petition is allowed and the Petitioner is ordered to be released on bail subject to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

June 12, 2020

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No