

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

206-2

**CRM-M-15089-2020
Decided on : 15.12.2020**

Gurtej Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Shakti Mehta, Advocate,
for the petitioner(s).

Mr. Saurav Khurana, DAG, Punjab
assisted by SI Daljit Singh.

MANJARI NEHRU KAUL, J. (Oral)

The instant petitioner has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 134, dated 19.12.2019, under Sections 392, 394, 397, 399, 402, 411, 473 IPC and Sections 25, 54 of the Arms Act, 1959 (added later on), registered at Police Station Sanaur, District Patiala.

Learned counsel for the petitioner *inter alia* submitted that the petitioner, who is in custody since 24th December, 2019, has been falsely implicated in the instant case by the investigating agency, as the latter was unable to apprehend the actual culprits and hence, they had been implicating innocent persons in such like cases. Learned counsel has drawn the attention of this Court to the orders dated 20th May, 2020 (Annexure P-2) of coordinate Bench of this Court, passed in CRM-M-12090-2020, titled as, “Paramveer Singh alias Bhangu Vs. State of Punjab”, wherein, the co-accused, has been granted the concession of regular bail.

Learned counsel for the petitioner has also placed on record copy of order dated 17th June, 2020, passed by the coordinate Bench of this Court in CRM-M-13907-2020, titled as, “Dilraj Singh Vs. State of Punjab”, wherein, the similarly situated accused has been granted the concession of regular bail. Learned counsel has further submitted that there is no likelihood of the trial concluding anytime in the near future, as the charges have not yet been framed. Hence, he be extended the concession of regular bail.

Per contra, learned State counsel while opposing the prayer and submissions of the learned counsel for the petitioner, on instructions from SI Daljit Singh, has submitted that the petitioner is a man of criminal antecedents. Attention of this Court has been invited towards the custody certificate filed by the State, which reflects the involvement of the petitioner in the following criminal cases:-

- i. FIR No. 26, dated 08.02.2019, under Sections 457, 380, 427, 511 IPC, registered at P.S. City Samana.
- ii. FIR No. 28, dated 19.02.2019, under Sections 380, 457, 427, 511 IPC, registered at P.S. Patran.
- iii. FIR No. 07, dated 06.02.2019, under Sections 457, 380, 427 IPC, registered at P.S. City Banga.
- iv. FIR No. 87, dated 2019, under Sections 457, 380 IPC, registered at P.S. Ambala City.
- v. FIR No. 09, dated 06.02.2019, under Sections 457, 380, 427, 511 IPC, registered at P.S. Sri Chamkaur Sahib.
- vi. FIR No. 31/2019, under Section 385 IPC, registered at P.S. Urban Estate Patiala.

Hence, he submits that in case the petitioner is enlarged on bail, there is every likelihood of the prosecution witnesses being influenced by the petitioner to depose in his favour.

Heard.

The petitioner does not deserve the concession of regular bail, as *prima facie*, there are serious allegations levelled against the petitioner in the FIR in question coupled with the fact that the petitioner is involved in a number of criminal cases of similar nature.

The petition stands dismissed accordingly. However, anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

December 15, 2020

J.Ram

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>