

CRM-M-29168-2020 (O&M)

Date of Decision : 30.10.2020

Sukhpreet Singh @ Sukhdeep Singh @ Sukha Barewalia

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Akashdeep Singh, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. AG, Punjab.

Harinder Singh Sidhu, J

The case has been taken up through video conferencing on account of Covid-2019 pandemic.

Prayer is for grant of regular bail in case FIR No.31, dated 09.02.2017, under Sections 307, 506, 427, 148, 149, 120-B of IPC, 1860 and Sections 25/27 of Arms Act, 1959 registered at Police Station Dugri, District Ludhiana, Punjab.

The FIR in the present case was registered on the statement of complainant Yadwinder Singh alias Jadu. He stated that he was working as a property dealer and his elder brother was working as motorcycle mechanic. He said at about 1.15 p.m in front of his shop, 4/5 persons came out of Swift car. Sukhpreet Singh @ Sukhdeep Singh @ Sukha Barewalia (petitioner) was having a pistol, Gulzar Singh Grewal and his son Gurinderjit Singh alias Goldy were holding swords with them. There were two more persons and they all 5 persons started damaging my car which was standing outside the shop. When the complainant along with his elder brother tried to stop these persons, they started abusing and threatening for life. The petitioner had fired a shot on brother of the complainant, which hit on his left flank. The brother of the complainant fell down. While he was lying on the ground, Gurinderjit Singh and

Gulzar Singh Grewal attacked him with their weapons. He raised a voice and these persons fled from the spot.

Learned counsel for the petitioner contends that the petitioner is in custody since 04.07.2017 (approximately 3 years and 4 months). The trial has not progressed and as of now, not even a single witness has been examined.

On the other hand, learned State counsel has opposed the bail on the grounds that the petitioner is a gangster and there were as many as 21 cases are registered against him.

Learned counsel for the petitioner states that in 11 cases, the petitioner has been acquitted. In six cases he is on bail. He has been convicted only in one case. In 2/3 cases, he has been sentenced for the period already undergone. Learned counsel states that the petitioner would not misuse the concession of bail and further submits that the petitioner is ready to furnish heavy surety to ensure his presence at the time of trial.

In view thereof, considering the fact that the petitioner is in custody for almost 3 years and 4 months and that the trial of the case may take sufficient long time for its conclusion in view of the prevalent pandemic Covid-19, no useful purpose would be served by keeping the petitioner behind the bars. Accordingly, the instant petition for regular bail is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the tune of Rs.10,00,000/- and one surety of the like amount each to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

The present petition stands disposed of accordingly.

(HARINDER SINGH SIDHU)
JUDGE

October 30, 2020
Manpreet

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No