

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-50968-2019

Date of Decision: 06.01.2020

Balwinder Singh @ Bittu

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Rajesh K. Dadwal, Advocate for the petitioner.

Mr. NK Banka, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C., petitioner-Balwinder Singh @ Bittu, has prayed for grant of regular bail in case FIR No. 093 dated 06.08.2016 registered under Sections 10, 11 and 13 (Sections 17, 19, 38 and 39 added later on) of Unlawful Activities (Prevention) Act, 1967 and Section 25 of the Arms Act at Police Station Chabbewal, District Hoshiarpur.

According to the prosecution, on 14.03.2019, Inspector Kulwinder Singh, received a secret information about efforts for revival of terrorism in the State of Punjab, alluring vulnerable youth and collecting arms and explosive substances to use the same in terrorist activities. On this secret information, co-accused-Jaspreet Singh @ Jassi, was arrested, who got recovered a pistol. During investigation, Jaspreet Singh @ Jassi named the petitioner as supplier of pistol recovered from

him. When the police could not arrest the petitioner, despite best possible efforts, he was got declared as a proclaimed offender. Finally, the police laid hand upon him on 04.07.2019. Since, then the petitioner is in custody.

Learned counsel *inter alia* contends that petitioner has falsely been implicated in the instant case on the disclosure statement of co-accused, Jaspreet Singh @ Jassi, which was a very weak type of evidence. He is in custody since last more than 4 months. Conclusion of trial may take a long time. No useful purpose would be served by detaining him in jail. Nothing has to be recovered from him.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of case, the petition is allowed. Consequently, petitioner-Balwinder Singh @ Bittu, is ordered to be released on bail pending trial, if, not required in any other case, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

January 06, 2020
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No