

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

101

CRM-M-3451-2020.

Date of Decision: 15.02.2021.

Jarmanjit Singh @ Bhalwan

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Gurpreet Singh Dhillon, Advocate for petitioner.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

Lalit Batra , J . (Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C has been moved by petitioner-**Jarmanjit Singh @ Bhalwan** for grant of regular bail in case FIR No.15 dated 07.02.2019 under Sections 120-B, 186, 307, 332, 342, 353, 412, 465, 467, 468, 471 and 473 IPC and Section 25 of Arms Act, registered at Police Station Dhakoli, District SAS Nagar.

Learned counsel for the petitioner *inter alia* contends that the allegations levelled in the FIR are totally concocted, false and frivolous and there is no iota of truth therein. He further urges that as a matter of fact, Ankit Bhadu (since deceased) was not known to the petitioner, rather said Ankit Bhadu was known to co-accused Gurinder Singh @ Ginda, who had

aware of antecedents of said Gurinder Singh @ Ginda and further he never suspected any foul play in the conduct of Gurinder Singh @ Ginda. He further urges that petitioner was never aware of any fire-arms or ammunition being carried either by Gurinder Singh @ Ginda or Ankit Bhadu or kept inside the room, if any. He further submits that no weapon has been recovered from the petitioner. He further submits that petitioner is in custody since 07.02.2019. He further submits that final report under Section 173 Cr.P.C. (challan) has already been presented in the Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that on 07.02.2019 after having received secret information that most wanted criminal namely Ankit Bhadu alongwith his accomplices while armed with deadly weapons are living in a flat situate in Mahalaxmi Homes, Peer Muchhalla, raid was carried out at the disclosed place, where police raiding party had to face stiff resistance on account of firing from inside the flat and as a result of which one fire hit the bullet proof jacket of Head Constable Parvinder Singh. He further urges that though raiding party had asked Ankit Bhadu and his accomplices to surrender, but he (Ankit Bhadu) jumped and entered another flat No.6B and made captive two girls living in the said flat. He further urges that due to firing by accused persons, Assistant Sub Inspector Sukhwinder had also sustained a gun shot injury, whereas in cross firing, Ankit Bhadu had also sustained gun shot injury. He further urges that Ankit Bhadu was

apprehended while lying in the lobby and one pistol 9 MM was found near him. He further urges that girls living in Flat No.6B had also sustained injuries. He further submits that petitioner and co-accused Gurinder Singh @ Ginda were arrested from the bathroom of Flat No.6C and then during the search of said flat as well as Flat No.6B, heavy quantity of fire-arms and ammunition were recovered. He further urges that on inspection of spot, it transpired that petitioner had fired upon the police party from his 7.65 MM pistol. He further urges that on 17.02.2019, petitioner and co-accused Gurinder Singh @ Ginda, in pursuance of their disclosure statements, got recovered one motorcycle make Pulsar wherein fake Engine and Chassis numbers were found to be incorporated. He further urges that during investigation, petitioner was found to be involved in snatching of car make Mahindra XUV 500 and theft of motorcycle make Pulsar. He further submits that the flat in question bearing Flat No.6C where occurrence took place, said flat was in actual possession of petitioner, vide Rent Agreement executed between him (petitioner) and landlord Rajit Aggarwal and as such involvement of petitioner in the commission of offence in question is well evident on the record. He further submits that as petitioner has played vital role in the commission of offence and the fact that allegations against the petitioner are quite serious, he does not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the contents of petition as well as reply furnished at the instance of respondent-State.

Without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact

that allegedly petitioner in occupation of Flat No.6C as tenant gave accommodation to co-accused namely Ankit Bhadu (since deceased) and Gurinder Singh @ Ginda in the said flat and then in furtherance of their common intention fired at the Police party with intention to kill them, therefore, in view of seriousness of the offence, he does not deserve the concession of bail.

As a sequel to above, instant petition for grant of regular bail moved by the petitioner is dismissed.

(LALIT BATRA)
JUDGE

15.02.2021

jitender

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