

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

107

Date of Decision: 07.04.2021.

1. CRM-M-15111-2020

Gurpreet Singh @ Gopi

....Petitioner.

Versus

State of Punjab

....Respondent.

WITH

2. CRM-M-34726-2020

Kulwinder Singh @ Lainser

....Petitioner.

Versus

State of Punjab

....Respondent.

AND

3. CRM-M-6496-2021

Sachpreet Singh @ Jassi

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Amandeep Singh Manaise, Advocate
for petitioners (in CRM-M-15111 and 34726-2020).

Mr. Ajay Pal Singh Rehan, Advocate
for petitioner (in CRM-M-6496-2021).

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

Lalit Batra , J . (Oral)

Case has been taken up for hearing through Video Conferencing.

The above mentioned three petitions under Section 439 Cr.P.C. have been filed by petitioners namely **Gurpreet Singh @ Gopi, Kulwinder Singh @ Lainser** and **Sachpreet Singh @ Jassi** for grant of regular bail in case FIR No.70 dated 27.10.2019 under Sections 307, 379-B and 506 IPC

read with Section 34 IPC and Section 25 of Arms Act, registered at Police

Station Purana Shalla, District Gurdaspur and these petitions are being disposed of by this common order as the same have arisen out of the same FIR.

Learned counsel for the petitioners *inter alia* contend that the allegations levelled in the FIR are totally concocted, false and frivolous and there is no iota of truth therein. They further urge that petitioners were not named in the FIR and their names surfaced later on. They further urge that petitioners were not present on the spot and further no specific role has been attributed to them. They further urge that neither the petitioners snatched any wallet nor they fired any shot at the complainant party. They further urge that alleged recovery of wallet containing Aadhaar Card and photograph of Hakikat Singh alongwith currency notes of Rs.700/- shown at the instance of petitioner-accused Gurpreet Singh @ Gopi, is planted one. They further urge that alleged recovery of key of Scooter shown at the instance of petitioner-accused Kulwinder Singh @ Lainser, is planted one. They further urge that alleged recovery of one pistol without make, two magazines and two cartridges alongwith clothes shown at the instance of petitioner-accused Sachpreet Singh @ Jassi, is planted one. They further submit that petitioners are languishing in custody since 28.10.2019 and after completion of investigation, 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 petitioners in custody further, thus, they may be released on

On the other hand, learned State counsel while opposing instant petitions has vehemently argued that on 27.10.2019 at about 12:15 PM, when complainant-Anita Devi alongwith her husband-Hakikat Singh was going on Scooter *enroute* Village Chechian Chhourian to Village Gulelara Road towards Chounta, on the way they were intercepted by petitioners-accused, who after having snatched their valuable belongings, fired four shots on chest, abdomen and left hand of Hakikat Singh and then they (assailants) sped away on the Scooter from the spot. He further urges that actual identity of above said assailants (petitioners) came into limelight as per CCTV camera footage as they had got filled petrol in their Scooter from nearby Nirmal Filling Station. He further urges that Scooter bearing registration No.PB-07-AF-4824 alongwith its Certificate of Registration, snatched wallet of Hakikat Singh and weapons of offence i.e. Pistol alongwith two magazines and two cartridges were recovered from petitioners-accused. He further submits that since allegations against the petitioners are quite serious, they do not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the contents of petitions 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 petitioners while armed with deadly weapons in furtherance of their common intention snatched valuable belongings of Hakikat Singh and further fired several shots on his person with intention to kill him,

therefore, in view of seriousness of the offence, petitioners do not deserve

CRM-M-15111-2020
CRM-M-34726-2020
CRM-M-6496-2021

-4-

the concession of bail.

As a sequel to above, all the three petitions for grant of regular bail moved by the petitioners, are dismissed.

Before parting with this order, it is pertinent to mention here that since petitioners are languishing in custody for the last about 1½ years, Trial Court is directed to make earnest and sincere efforts to conclude the trial within four months positively from the date of receipt of copy of this order.

(LALIT BATRA)
JUDGE

07.04.2021
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No