

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

208

**CRM-M-19572-2021
Decided on : 24.05.2021**

Gurjeet Singh @ Jeeta

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.Saurav Bhatia, Advocate, for the petitioner.

Mr.Sarabjit Singh, AAG, Punjab.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Prayer in the present petition, filed under Section 439 Cr.P.C., is for grant of regular bail in FIR No.18 dated 16.03.2021 under Section 115 read with Section 302 IPC and Section 25 of the Arms Act, 1959 and Sections 465, 467, 468, 471, 483, 120-B IPC added later on, registered at Police Station Aur, District Shaheed Bhagat Singh Nagar.

Counsel for the petitioner has pointed out that the information received from the informer by the police party was qua Makhan Singh and Ranjit Singh, who were in possession of huge amount of illegal weapons and were proceeding in a car to kill someone. The said activities were stated to be on instructions of one Harish Kumar @ Saabi, resident of Hoshiarpur but presently residing at England. It is submitted that on the statement of Makhan Singh, the petitioner was nominated as an accused and he is in custody since 17.03.2021.

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State Counsel has submitted that as per the order of the Addl. Sessions Judge, one pistol, magazines and 4 live cartridges have been recovered from the accused and therefore, the bail should be denied since the petitioner is involved in serious offences.

The custody certificate dated 23.05.2021 has also been placed on record showing that the petitioner has been in custody for 1 month 28 days and verifies the fact that the petitioner is not an accused in any other case.

Accordingly, keeping in view the above and the fact that the petitioner has only been nominated on the basis of the disclosure statement of the co-accused, the evidentiary value of which will have to be tested during trial, this Court is of the opinion that the petitioner is entitled for the benefit of regular bail, keeping in view his antecedents which are not doubtful, as such. State Counsel also could not point out as such that the petitioner was involved in the abetment of offence of murder of any specific individual.

Accordingly, the present petition is allowed and the petitioner is granted the benefit of regular bail, on furnishing of bonds/surety bonds, to the satisfaction of the Illaqa/Duty Magistrate, Shaheed Bhagat Singh Nagar.

MAY 24, 2021
sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No