

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

CRM-M- 17767-2019 (O&M)

Date of Decision: March 26, 2021

Gupreet Singh alias Chacha

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Param Preet Singh Brar, Advocate
for the petitioner.

Ms. Rashmi Attri, A.A.G., Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.33 dated 29.03.2016, under Sections 307, 353, 186, 224, 323, 148, 149, 212, 216, 120-B of Indian Penal Code read with Section 25 of Arms Act, registered at Police Station Kotwali, Nabha, District Patiala.

Counsel for the petitioner herein would contend that the petitioner has been apprehended in the aforesaid FIR on the basis of disclosure statement made by one of the accused. It is further contended that the petitioner had not been identified by two witnesses produced by the prosecution. He relies upon the affidavit of DSP, Nabha, District Patiala that

has been furnished in the present proceedings itself wherein the State has not been able to show details of evidence collected against the petitioner. The petitioner is in custody since 14.12.2016 and the trial is likely to take some time to conclude as 56 witnesses have been cited.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature.

I have heard learned counsel for the parties.

Keeping in view the fact that the challan has already been and the petitioner has not been identified by HC Nirmal Singh and HC Deep Chand i.e. witnesses of prosecution, coupled with the fact that the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioners behind the bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/ surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

March 26, 2021
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No