

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr.No.209

CRM-M No.23218 of 2021

Date of Decision: 12th August, 2021.

Gurjit Singh alias Geet

...Petitioner

Versus

State of Punjab

...Respondent

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Joginder Pal Devgan, Advocate,
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

* * * *

MEENAKSHI I. MEHTA, J.

The petitioner herein seeks the relief of regular bail in the criminal case arising out of the FIR bearing No.52 dated 26.08.2020 registered at Police Station G.R.P. Amritsar, District Amritsar, under Sections 302, 307, 341, 396, 120-B, 473, 201, 411 IPC, 1860 and Sections 25 and 27 of the Arms Act, 1959.

Shorn and short of unnecessary details, the allegations, as levelled in the subject FIR, are that complainant-informant Rashpal Singh @ Gopi as well as Darshan Lal (since deceased) were way-laid by three young persons while they were returning on the motor-cycle after collecting the money from the loanees and were given beatings by the said assailants and one of them fired shots at him and Darshan Lal resulting into the injury in his (Darshan Lal's) abdomen which proved fatal for him.

Status-report, filed on behalf of the respondent-State by way of

the affidavit of the Deputy Superintendent of Police, Government Railways Police, Amritsar, is already available on the file and the same is taken on the record.

I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file thoroughly.

Learned counsel for the petitioner contends that the name of the petitioner does not find mention in the FIR and rather, he has been nominated as an accused on the basis of the extra-judicial confession allegedly made by him before one Harbhajan Singh and the same does not suffice at all to show his (petitioner's) involvement in the alleged crime and in these circumstances, the petitioner deserves the relief as prayed for in this petition.

Per contra, learned State counsel argues that after his arrest in this case, the petitioner got the motor-cycle, as used by him in the commission of the crime, discovered in pursuance of the disclosure statement suffered by him and in view of the gravity of the offence committed by the petitioner, this petition deserves dismissal.

Though, the name of the petitioner does not find mention in the afore-said FIR but however, he allegedly made extra-judicial confession before said Harbhajan Singh. As specifically stated in the above-said status report, currency notes worth Rs.500/-, out of the amount robbed from the deceased, were also recovered from the petitioner besides the recovery of the motor-cycle, as allegedly used by him in the crime, in accordance with his disclosure statement and the co-accused of the petitioner also got a

mobile phone, as allegedly used by him and the petitioner to inform their co-accused about the location of the afore-named deceased at the time of the alleged occurrence, recovered in pursuance of his disclosure statement. To add to it, the petitioner is also stated to be involved in another criminal case as registered at Police Station Sadar, Tarn Taran. The evidentiary value of the afore-said extra-judicial confession and the disclosure statements suffered by the petitioner and his co-accused, can and shall be looked into and adjudicated by the trial Court at the appropriate stage after appreciating and evaluating the evidence as would be led on the record during the course of the trial.

Keeping in view the above-discussed facts and circumstances and the gravity of the offence, as alleged to have been committed by the petitioner, this Court is of the considered opinion that he does not deserve the relief of regular bail. Resultantly, the petition in hand stands dismissed accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

12.08.2021.
seema

Whether speaking/reasoned?	Yes
Whether Reportable?	No