

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

CRM-M-30646 of 2021

DECIDED ON: 6th August, 2021

Varinderpal Singh @ Vicky

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Bikramjit Aroua, Advocate for petitioner.

Ms. Monika Jalota, DAG Punjab.

Mr. Vikasdeep Singh, Advocate for complainant.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking regular bail in case of FIR No. 145 dated 25.6.2019 under Sections 302 r/w 34 IPC 1860 (Section 120-B added lateron) and Section 25 and 27 of Arms Act, 1959 registered at Police Station Tarn Taran, District Tarn Taran.

It is a case of blind murder of Gurmej Singh. During investigation, Jashanpreet Singh was arrested, on statement of Ranjit Singh to the effect that there was an extra-judicial confession made by Jashanpreet Singh regarding attack by him and his companion. After arrest Jashanpreet Singh disclosed that he had taken pistol from one Arshdeep Singh. During interrogation Arshdeep Singh disclosed that he brought pistol from the house of Varinderpal Singh @ Vicky to whom he had given pistol for safe custody.

Learned counsel for the petitioner submits that the pistol was recovered from Jashanpreet Singh, no recovery was made from the petitioner. Name of the petitioner surfaced in disclosure statement. Investigation is complete and challan stands presented.

Learned State counsel opposes the prayer for grant of bail. She on instructions from SI Anokh Singh submits that the allegations are serious. She further argues that the petitioner was custodian of an illegal weapon.

Mr. Vikasdeep Singh, Advocate appears for the complainant though not impleaded as party. He vehemently opposes the prayer made by learned counsel for the petitioner and supports the contention raised by learned State counsel.

The name of the petitioner surfaced in the statement of Arshdeep Singh. No recovery was made from the petitioner. Only allegation against the petitioner is that he had kept the weapon in safe custody on asking of Arshdeep Singh. Investigation is complete. Conclusion of trial is likely to take time. The petitioner is in custody since 7.4.2021. No useful purpose would be served by keeping the petitioner behind bars. Bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

6th August, 2021
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Whether speaking/reasoned *Yes*
Whether reportable *Yes*