

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 32695 of 2021

Date of Decision: 30.9.2021

Gurpreet Singh @ Gopi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Puneet Kumar Bansal, Advocate
for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 149 dated 02.12.2020 under Sections 457, 380 IPC and later on added Sections 411 and 120-B IPC, registered at Police Station Sadar Zira, District Ferozepur.

Learned counsel for the petitioner submits that the petitioner had filed a Habeas Corpus petition i.e. CRWP-10886-2020 for the release of his father as well as father-in-law from the illegal detention of the police. On 24.12.2020, the Coordinate Bench of this Court directed respondent No.2 therein, to trace out the detenues and produce them before the concerned Chief Judicial Magistrate/Duty Magistrate, on the said day i.e. 24.12.2020 itself. However, as directed, the detenues had not been produced before the Chief Judicial Magistrate/Duty Magistrate, and rather they were released on 25.12.2020 and on 28.12.2020, they were produced before the Coordinate Bench, through the Duty Magistrate, Ferozepur and the detenues had also

submitted affidavits regarding their illegal detention. Learned counsel further submits that due to this reason, the local police got annoyed and in order to avenge upon, the petitioner has been involved in multiple cases, including the present one.

Learned counsel further submits that the petitioner has been in custody since 21.1.2021; that co-accused, namely, Ravi Kumar, Goldy and Subhash have already been granted bail; that the petitioner has been indicted in the present case on the supplementary statement of complainant, wherein he stated that he came to know regarding the involvement of the petitioner and others.

On the other hand, learned State counsel opposes the bail petition and submits that the petitioner is a habitual offender and has been involved in 12 more cases. He further submits that a Special Investigation Team (SIT) has also been constituted and the petitioner does not deserve the concession of regular bail.

I have heard the learned counsel for the parties.

The petitioner has been indicted in the present case on the supplementary statement of the complainant, who stated that he has come to know that the petitioner and others have committed the theft. The petitioner has been in custody since 21.1.2021. Co-accused namely, Ravi Kumar, Goldy and Subhash are already on bail. The prosecution witnesses are yet to be examined. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his

furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

As per office report, report of the SIT has not been received yet.

Registry is directed to list the case after the report from the SIT is received.

(HARNARESH SINGH GILL)
JUDGE

September 30, 2021
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No