

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.7431 of 2022(O&M)
Date of Decision:- 23.05.2022

Gurjant Singh @ Janta

....Petitioner

Vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Gaurav Dutta, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

KARAMJIT SINGH, J.(Oral)

Prayer is for grant for regular bail to the petitioner in case having FIR No.192 dated 9.11.2021 registered under Sections 21(c), 25 and 29 of NDPS Act and Sections 25 and 27 of Arms Act and Sections 419, 420, 467, 471 and 120-B IPC, Police Station STF, District SAS Nagar (Mohali), Punjab.

As per the allegations appearing on record the FIR in this case was registered against Gurbhej Singh and after registration of the FIR, said Gurbhej Singh was arrested and one kg of heroin was

recovered from his possession and on the basis of disclosure made by Gurbhej, the petitioner was nominated as an accused and was arrested on 12.12.2021.

The counsel for the petitioner contends that the petitioner who was having no criminal history was apprehended in the present case on 12.12.2021 and is presently lodged in judicial custody. The counsel further contends that during investigation no contraband or incriminating article was recovered from the possession of the petitioner. The counsel for the petitioner further contends that the only allegations against the petitioner are that he procured fake arms license and on the basis of said fake license he took 1 pistol and some cartridges from gun house and he put his fake signatures on the register of gun house while impersonating himself as Gurjant Singh son of Sewa Singh. The counsel further contends that it will take time for conclusion of trial and as such, made prayer for grant of regular bail to the petitioner.

On the other hand, the petition has been contested by the State counsel, who submitted that case is relating to recovery of heroin and fire arms from the possession of co-accused Gurbhej, who named the present petitioner. Further it was contended that the present petitioner prepared fake arms license and by showing the same, he took one pistol and cartridge from gun house by impersonating himself as Gurjant Singh son of Sewa Singh. The state

counsel further contends that the present petition deserves to be dismissed.

I have considered the submissions made by the counsel for the parties.

Admittedly, no contraband or any other incriminating article was recovered from the possession of petitioner who is in custody since 12.12.2021. The State counsel has admitted that the petitioner is not involved in any other criminal case. It will take time for conclusion of the trial. So fruitful purpose is going to be served by keeping the petitioner in custody for any longer period.

Thus, without commenting on the merits of the case the present petition is hereby accepted and the petitioner is ordered to be released on regular bail subject to his furnishing bail and surety bonds to the satisfaction of the Trial Court/CJM/Duty Magistrate concerned.

23.05.2022

P. Chawla

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No