

Harwinder Singh alias Bhinda

.....Petitioner

Vs.

State of Punjab

....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. Ashok Saini, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

AMOL RATTAN SINGH, J. (Oral)

By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 Cr.P.C., upon FIR No.126, dated 15.12.2017, having been registered at Police Station Kotfatta, District Bathinda, alleging therein the commission of offences punishable under the provisions of Sections 307/353/473/412/186/148/149 of the IPC and Sections 25 of the Arms Act, 1959 (with Section 473/412 IPC added on presentation of *challan*).

Pursuant to the order dated 25.05.2022, a report dated 21.07.2022 has been received from the learned Sessions Judge, Bathinda, stating therein that the trial of the petitioner in the context of FIR no.126 of 2017 (registered at Police Station Kotfatta, District Bathinda), is pending in the court of Dr. Ram Kumar Singla, Additional Sessions Judge, Bathinda, and not in the court Mr.Hira Singh Gill, Additional Sessions Judge, and out of 96 prosecution witnesses 6 have been completely examined, with PW 7 to 9 having been examined in part.

As regards the report earlier sent by Mr.Hira Singh Gill, Additional Sessions Judge, dated 07.01.2022, it was an error on his part, in as much as he was seized of the trial emanating from FIR no.316 of 2017, registered at Police Station Nathana, wherein the accused is also Harwinder Singh alias Bhinda, i.e. the same petitioner (as per instructions of learned State counsel), and in fact in the said report made by Mr.Gill, the petitioner had been inadvertently referred to as Harwinder Singh alias Ginda.

Other than the above report received from the learned Sessions Judge, Bathinda, an affidavit dated 19.07.2022, executed by the DSP (Rural), Bathinda, has been filed in court today by the learned State counsel, which is ordered to be taken on record.

Mr.Rana submits that as stated in paragraph 6 of the said affidavit, there are a total of 8 other FIRs registered against the petitioner under various provisions of the IPC including Sections 392, 397 etc, as also under the provisions of the Arms Act, 1959, with such cases having been registered not just in Punjab, but also in Rajasthan and UP.

He points out that one of the cases is registered at Police Station Chandpur, District Bijnor, District UP, under the provisions of the Gangsters Act, and therefore the petitioner being a “professional gangster”, he does not deserve to be admitted to bail.

I agree with learned State counsel with this petition consequently dismissed, even though learned counsel for the petitioner submits that the petitioner has been admitted to bail in the context of all

other cases registered against him and he has been in custody for the past 4 ½ years in the context of the present case.

July 22, 2022

dharamvir

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO