

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

CRM-M-24973-2022(O&M)

Date of decision: 01.06.2022

Gurinder Singh @ Gora @ Gurinder Pal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Amaninder Preet, Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks quashing of the order dated 21.05.2022 (Annexure P-2) passed by the learned Additional Sessions Judge, Faridkot, in case bearing FIR No. 409 dated 12.11.2020, registered under Sections 307, 427, 148, 149 IPC and Sections 25 and 27 of the Arms Act, 1959, at Police Station City Faridkot, District Faridkot, whereby the Superintendents of Ferozepur, Gurugram, Bhondsi, Bathinda and Hoshiarpur Jails, have been directed to immediately transfer the petitioner and some other accused to Faridkot Jail.

Learned counsel for the petitioner submits that the petitioner along with other persons, was falsely implicated under the Arms Act, during the farmers' protest and thereafter, he was brought to Punjab on production warrants on the basis of disclosure statement, wherein it was alleged that the petitioner had harbored some criminals involved in a murder case.

Learned counsel for the petitioner further submits that the petitioner is being involved in several cases, as he is a distant relative of

Satvinderjit Singh @ Goldy Brar, who has been declared a Gangster; except the said fact, the petitioner has no role in the commission of any crime.

Learned counsel for the petitioner points out that there are several convicts in Faridkot Jail, who belong to other Gangs and if the petitioner is shifted to Faridkot Jail, his life would be in danger, being relative of Satvinderjit Singh @ Goldy Brar.

Notice of motion.

On the asking of this Court, Mr. Ajay Pal Singh Gill, DAG Punjab, accepts notice on behalf of the respondent-State. He submits that the order dated 21.05.2022, does not require any interference, as the presence of the accused is required in the trial pending before the Court at Faridkot. He further states that by filing the present petition, the sole intention of the petitioner is to delay and frustrate the trial proceedings.

I have heard the learned counsel for the petitioner at length as well as the learned State counsel and have also gone through the paper-book.

The petitioner has apprehensions of life threats at Faridkot Jail. The said apprehensions are founded on the ground of him being a distant relative of Satvinderjit Singh @ Goldy Brar (Gangster) and there are several convicts in Faridkot Jail of other Gangs.

Without going into the merits of the case, the petition is disposed of with a direction to the learned Additional District and Sessions Judge, Faridkot, to reconsider the request of the petitioner, after taking inputs from the Jail Superintendent, Faridkot.

(HARNARESH SINGH GILL)
JUDGE

01.06.2022
mangal singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No