

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

CRM-M-28722-2021

Date of decision : 31.08.2022

Jodhbir Singh

..... Petitioner

versus

The State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Navraj Singh, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

PANKAJ JAIN, J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.131/2020 dated 22.08.2020, registered for the offences punishable under Sections 307/120-B of IPC, Section 25 of Arms Act, Sections 21/29 of NDPS Act, Sections 3/4 of Passport Act and Section 14 of Foreigners Act.

2. As per allegations, FIR was registered on the basis of official communication from officiating commander BSF w.r.t. encounter resulting in death of five Pakistani intruders from whose bodies one AK 47 rifle, 27 number Ball Ammunition 7.62 ml, 5 number pistol, 7 number pistol magazines, 109 number 9 mm Ball Ammunition and Heroin to the tune of 9.920 kgs, two mobile phones and Pak currency etc. were recovered.

3. During investigation, the crime travelled to the door of the present petitioner on the basis of whatsapp chat on phone number 9779111497 which admittedly belongs to the petitioner.

4. Mr. Sidhu, on instruction from ASI Balwinder Singh, submits that the trial is in progress, 3 witnesses out of 20 cited witnesses already stand examined.

5. Owing to the serious allegations, recovery made and the fact that the crime finally travels to the door of petitioner, no ground is made out to grant regular bail to the petitioner.

6. Consequently, the present petition is dismissed. However, keeping in view that the petitioner is in custody since 01.09.2020, the trial Court is directed to expedite the trial.

7. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

31.08.2022

Dinesh

Whether speaking/reasoned

Yes

Whether Reportable :

No