

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

(1) **CRM-M-54567-2021 (O&M)**

Gurpreet Singh Alias Gopi ...Petitioner

Versus

State of Punjab ...Respondent

(2) **CRM-M-10366-2022 (O&M)**

Akashdeep Singh @ Raja ...Petitioner

Versus

State of Punjab ...Respondent

(3) **CRM-M-19563-2022 (O&M)**

Mandeep Singh @ Saajan ...Petitioner

Versus

State of Punjab ...Respondent

(4) **CRM-M-22803-2022 (O&M)**

Sher Singh ...Petitioner

Versus

State of Punjab ...Respondent

Date of Decision:- 15.9.2022

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Karamjit Singh Maangat, Advocate
for the petitioner in CRM-M-54567-2021.

Mr. Kuljit Singh Bal, Advocate
for the petitioner in CRM-M-10366-2022.

Mr. Rishu Mahajan, Advocate
for the petitioner in CRM-M-19563-2022.

Mr. Joginder Pal Devgan, Advocate
for the petitioner in CRM-M-22803-2022.

Mr. Luvinder Sofat, DAG, Punjab and
Ms. Swati Batra, DAG, Punjab,
assisted by ASI Sham Sunder.

GURVINDER SINGH GILL, J.

1. This order shall dispose off the above mentioned four petitions filed on behalf of Gurpreet Singh @ Gopi, Akashdeep Singh @ Raja, Mandeep Singh @ Saajan and Sher Singh seeking grant of regular bail in a case registered against them vide FIR No. 223 dated 28.8.2021 under Section 395 IPC and Sections 25/54/59 of the Arms Act at Police Station B-Division, District Amritsar.
2. The FIR in question was lodged at the instance of Sandeep Kumar wherein it is alleged that on 7.8.2021, four persons with muffled faces entered the complainant's shop at about 10 p.m. While one of them was carrying a pistol like object, the other three are alleged to be carrying 'datars' (sickles). It is alleged that the said persons took away gold articles weighing 169 grams, out of which 69 grams was pure gold and some more gold articles weighing 142 grams, out of which 109 grams was pure gold. The complainant later identified the said four persons to be Raja (Akashdeep Singh), Saajan (Mandeep Singh), Goga (Gobind Singh) and Shera while Rohit remained outside. The complainant has also alleged that their neighbour Gurpreet Singh @ Gopi on the day of occurrence had made several visits to his shop.
3. The learned counsel for the petitioners have submitted that the petitioners have falsely been implicated in the FIR, which is a result of concoctions, as would be evident from the fact that while the alleged dacoity is stated to have taken place on 7.8.2021, the FIR was lodged after about 15 days i.e. on

28.8.2021. The learned counsel has further submitted that in any case, the petitioners have been behind bars for a period of more than one year and trial has not even commenced inasmuch as no prosecution witness has been examined till date, the petitioners deserve the concession of regular bail.

4. On the other hand, the learned State counsel has submitted that since apart from CCTV footage, the police has collected sufficient evidence during the course of investigation inasmuch as melted gold, pistols etc. had been recovered from the accused and that the petitioner Akashdeep Singh stands involved in 3 cases, petitioner Mandeep Singh is involved in 2 cases and petitioner Sher Singh is involved in one case, no case for grant of regular bail is made out. The learned State counsel has, however, informed that the petitioners as on date have been behind bars since the last more than one year and that no prosecution witness has been examined till date.
5. This Court has considered rival submissions addressed before this Court.
6. Without commenting anything as regards the merits of the case and while noticing that although it is a case where the accused are alleged to have been armed with pistol like object and 'datars' (sickles) but no injury whatsoever was caused to anybody with the same and the petitioners have otherwise been behind bars for period of one year and trial has not even commenced till date, further detention of the petitioners will not serve any useful purpose.
7. The petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the

satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. A photocopy of this order be placed on the file of connected cases.

15.9.2022

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No