

CRM-M-25878-2021

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2023:PHHC:059229

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

Date of decision: 26.04.2023

(i) CRM-M-25878-2021

Gurjashanpreet Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

(ii) CRM-M-26039-2021

Harmanjit Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

(iii) CRM-M-42045-2021

Gavy @ Vijay Kumar

.... Petitioner

Versus

State of Punjab

.... Respondent

(iv) CRM-M-42522-2021

Bharat Kumar

.... Petitioner

Versus

State of Punjab

.... Respondent

(v) CRM-M-52228-2021

Amitoj Singh @ Ricky

.... Petitioner

Versus

State of Punjab

.... Respondent

(vi) CRM-M-3047-2022

Samual

.... Petitioner

Versus

State of Punjab

.... Respondent

(vii) CRM-M-19956-2022

Sumit Kumar

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. J.S. Sandhu, Advocate
for the petitioner (in CRM-M-25878-2021).

Mr. APS Deol, Senior Advocate with
Mr. Vishal Rattan Lamba, Advocate for the petitioner(s)
(in CRM-M Nos. 26039 and 42522-2021).

Mr. S.P.S. Sidhu and Ms. Anmol, Advocates
for the petitioner (in CRM-M-42045-2021).

Mr. Naresh Jain, Advocate
for the petitioner (in CRM-M-52228-2021).

Ms. Tanisha Advocate for
Mr. K.S. Brar, Advocate
for the petitioner (in CRM-M-3047-2022).

Mr. G.S. Ghuman and Mr. Bhupinder Ghai, Advocates
for the petitioner (in CRM-M-19956-2022).

Mr. Jaspal Singh Guru, AAG, Punjab.

ASHOK KUMAR VERMA, J.

1. Separate custody certificates of the petitioner(s) (in all cases) filed by learned counsel for the State are taken on record.
2. By this common order 07 aforementioned petitions are being disposed of, as all have arisen out of the same FIR.
3. The petitioners have filed the aforesaid petitions under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No. 31 dated 17.04.2021 registered under Sections 21, 22 and 29 of the NDPS Act; Sections 392, 395 and 384 IPC (Sections 511, 465, 467, 460, 471 and 120-B IPC were added later on) and Section 25 of the Arms Act at Police Station Sadar Kurali, District SAS Nagar (Mohali). For brevity, the facts are being extracted from CRM-M-25878-2021.

Brief facts:

4. The above-said FIR was registered on the basis of secret information received by ASI Talwinder Singh against Samuel, Gavy @ Vijay, Jaipal Singh, Karanbir Singh @ Kala, Rohit Kumar, Neeraj Kumar @ Chaska, Deepak Kumar, Karanvir Singh @ Kann, Ravinder, Iqbal Singh @ Rubal, Gurjashasnpreet Singh and Harmanjit Singh, who were declared as proclaimed offenders in several cases of murder, dacoity, extortion and drug smuggling have made an organized criminal gang and are extorting money from people by calling through internet. Moreover, they used to snatch the vehicles on gun point and use them for smuggling of heroin and other synthetic drugs. They have relations with drug and arms dealers and after purchasing the same from them they are

selling it in State of Punjab. In these days the said persons have created their hideouts in the areas of Singhpura, Kurali and Kharar and are operating their gang in the State of Punjab and other States. The present case pertains to the heavy recovery of 1 Kg. 260 grams of Heroin as well as illegal arms and cartridges. During investigation, the whereabouts of the aforesaid accused persons were verified and all the said persons were found to be absent from their permanent residential addresses.

Role of the petitioners:-

5. **(i) Gurjashanpreet Singh-petitioner in CRM-M-25878-2021** was arrested on 28.04.2021 along with co-accused, namely; Karanveer Singh @ Kana. He was sitting in Black Scorpio car bearing registration No. PB-46-AD-8880 being driven by his co-accused, namely; Karanvir Singh @ Kanna. 260 grams of heroin was recovered underneath the seat of car. One.32 bore pistol along with Magazine and 12 cartridges were also recovered from the co-accused-Karanvir Singh @ Kanna.
6. **(ii) Harmanjit Singh-petitioner in CRM-M-26039-2021,** was also arrested on 28.04.2021 along with co-accused Ravinder Iqbal Singh @ Rubal. Verna car bearing registration No. PB-10-HK-9887 being driven by both the accused was taken into police possession.
7. **(iii) Gavy @ Vijay Kumar-petitioner in CRM-M-42045-2021,** was implicated in the present case on the basis of secret information received on 23.04.2021 that presently he is residing at a secret hide out in the State of Jharkhand. In pursuance thereto, a team headed by Inspector Pushwinder was constituted and sent to Jharkhand to conduct a raid at the hide out of Gavy @ Vijay Kumar. He was arrested

by the police on 26.04.2021 from Kalpanpuri with the help of local police of Police Station Adityapur, District Sarai Keila, Jharkhand and one Fortuner car bearing registration No. DL-10-CJ-7009, was recovered from him. During interrogation, Gavy @ Vijay Kumar, suffered a disclosure statement on 05.05.2021 and got recovered 1 kg of heroin and one pistol .30 bore containing 5 live cartridges from the flat (in Urban Homes) where Karanveer Singh @ Kanna, Gurjashanpreet Singh, Harmanjit Singh and Ravinder Iqbal Singh @ Rubal were staying. The same were also taken into police possession. Petitioner-Gavy @ Vijay Kumar, also suffered another disclosure statement and got recovered one 7.56 MM pistol along with 8 live cartridges, which were also taken into police possession.

8. (iv) **Bharat Kumar-petitioner in CRM-M-42522-2021** was nominated as accused in the present FIR on the basis of statement of secret informer-Balwant Singh. He was arrested on 09.06.2021 and one pistol .30 bore along with 05 live cartridges, car bearing registration No. WB-02-R-4500 make Honda Accord was recovered from him. During the search of car, one fake driving licence, one ID card of Constable Amarjit Singh of Haryana Police and photostat copy of rent deed of Flat No. B153/201 SP Sukho Brity Action Area No. 3 Second Floor Police Station New Town Kolkata-700135, West Bengal were recovered. During interrogation, he disclosed about the hideout of co-accused-Jaipal Singh Bhullar and Jaspreet Singh @ Jassi in Koltaka, West Bengal and on 09.06.2021, aforesaid Jaipal Singh Bhullar and Jaspreet Singh @ Jassi, were neutralized by the police.

9. **(v) Amitoj Singh @ Ricky-petitioner in CRM-M-5228-2021**, was arrested in the present case on 14.07.2021. One Verna Car bearing Registration No. PB-65-AT-8954 along with RC and Driving Licence bearing No. 10CJ7009 NOC and other documents related to co-accused, namely Gavy @ Vijay and Samual, were recovered from him.

10. **(vi) Samual-petitioner in CRM-M-3047-2022**, was arrested on 08.05.2021 in the present case. During interrogation, he suffered a disclosure statement and got recovered one pistol .315 bore along with 03 live cartridges which were given to him by co-accused-Gavy @ Vijay.

11. **(vii) Sumit Kumar-petitioner in CRM-M-19956-2022**, was nominated as an accused, on the basis of disclosure statement of co-accused-Bharat Kumar. He was arrested on 12.06.2021 and during his search, 08 imported SIM cards were recovered which were taken into police possession. During interrogation, Sumit Kumar, suffered a disclosure statement and got recovered 34 international mobile phone SIM cards.

Contentions of learned counsel for the petitioners

12. Learned counsel for petitioner-Gurjashanpreet Singh (in CRM-M-25878-2021), *inter alia*, contends that petitioner has falsely been implicated in the instant case as he was not named in the FIR. He was nominated in the present case on the basis of statement of secret informer. The petitioner was sitting in Black Scorpio car bearing registration No. PB-46-AD-8880 being driven by his co-accused Karanvir Singh @ Kanna. The alleged recovery of 260 grams of heroin

was effected underneath the seat of car. Petitioner was not the owner of the car. One .32 bore pistol along with Magazine and 12 cartridges were recovered also from the co-accused-Karanvir Singh @ Kanna. Nothing has been recovered from the petitioner. He is in custody since **04.05.2021**.

13. Learned senior counsel for petitioner-Harmanjit Singh (in CRM-M-26039-2021), *inter alia*, contends that the petitioner was not named in the FIR nor any role has been attributed to him. He was nominated in the present case on the basis of statement of secret informer-Kulwinder Singh. No independent witness was joined. The only role attributed to the petitioner is that he was sitting in the Verna car bearing registration No. PB-10-HK-9887 along with his co-accused-Ravinder Iqbal Singh and that no recovery has been effected from him. The petitioner is not involved in any other case under the NDPS Act. He is in custody since **04.05.2021**. In support of his contentions, learned senior counsel has placed reliance upon a judgment dated 12.10.2022 rendered by a Division Bench of this Court in CRA-D-217-2021, 'Maninder Singh @ Mani vs. National Investigation Agency, and other connected appeals.

14. Learned counsel for petitioner-Gavy @ Vijay Kumar (in CRM-M-42045-2021), *inter alia*, contends that petitioner-Gavy @ Vijay Kumar, has falsely been implicated in the present case. No specific role has been attributed to the petitioner. The allegations levelled in the FIR are totally false and baseless. In fact, the petitioner along with his wife and minor son had shifted to flat No. 103, Amur Srinath's Global Village

Adityapur, Jamshedpur, Jharkhand to earn a better livelihood two years back from the date of his arrest i.e. **26.04.2021**. The allegations against the petitioner are general and vague. Petitioner is in custody since 26.04.2021.

15. Learned senior counsel for petitioner-Bharat Kumar (in CRM-M-42522-2021), *inter alia*, contends that the petitioner was not named in the FIR. His name was figured for the first time after two months of the registration of instant FIR, on the basis of statement of another police tout, namely, Balwant Singh, dated 07.06.2021 to the effect that the petitioner is an active member of Jaipal group and indulged in dealing of illegal arms, sale and purchase of drugs, abduction, murder etc. The petitioner had not committed any offence whatsoever as alleged in the FIR at any point of time. He further contends that the present FIR was lodged against some other accused persons and gangsters. The petitioner is in custody since **09.06.2021**.

16. Learned counsel for petitioner-Amitoj Singh @ Ricky (in CRM-M-52228-2021), *inter alia*, contends that petitioner was not named in the FIR and was nominated later on, on the basis of disclosure statement suffered by secret informer-Balwant Singh. The allegations in the FIR against the petitioner are vague and general. Nothing has been recovered from the petitioner. The only allegation levelled against the petitioner is that the Fortuner car bearing Registration No. DL-10-CJ-7009, which was used by co-accused-Gavy @ Vijay Kumar (in CRM-M-42045-2021), was registered in his name. He further contends that the petitioner had no link with the other co-accused and even he did not

know the co-accused prior to his arrest. The petitioner is in custody since **14.07.2021**.

17. Learned counsel for petitioner-Samual (in CRM-M-3047-2022), *inter alia*, contends that petitioner has falsely been implicated in the instant case. He has no link with other co-accused. The recovery of contraband i.e. 1 Kg and 260 grams of heroin was effected from his co-accused, namely; Gavy @ Vijay Kumar (in CRM-M-42045-2021). False recovery i.e. 3 live cartridges and one country made pistol was planted upon the petitioner by the police, later on. No drugs were recovered from the petitioner. The petitioner is in custody since **08.05.2021**.

18. Learned counsel Sumit Kumar (CRM-M-19956-2022), *inter alia*, contends that petitioner has falsely been nominated in the present FIR after two months of its registration, on the basis of statement of disclosure statement of his co-accused-Bharat Kumar, which is a very weak type of evidence. Petitioner is a registered SIM Vendor. 08 non-activated foreign SIM cards were recovered from him. The petitioner has no connection with other co-accused. He is not involved in any other case. Petitioner has been already facing incarceration since **12.06.2021**.

19. Learned counsel for the all the petitioner(s) submit that the trial is still at the stage of recording of statements of prosecution witnesses and is going on at a snail pace. Conclusion of trial will take a sufficient long time and no useful purpose will be served by further detention of the petitioners in custody. Thus, it is prayed the all the petitioners may be released on regular bail.

Contentions of learned counsel for the State

20. On the other hand, learned counsel for the State vehemently opposed the submissions of learned counsels for the petitioner(s), on the ground of gravity and seriousness of allegations. He contends that all the petitioner(s) are habitual offenders and gangsters. The petitioner(s) along with their co-accused are involved in number of serious criminal cases of murder, dacoity, extortion and also indulge in sale and purchase of narcotics and illegal arms as detailed in list Annexure R-1, placed on record by learned counsel for the petitioner attached with CRM-M-25878-2021. The present case pertains to heavy recovery of 1kgs-260 grams of heroin and illegal arms. They have actively participated in the commission of crime, being members of the group of gangsters. He further contends that if, the petitioner(s) are released on bail, possibility of tempering of prosecution evidence and absconding of accused/petitioner(s), cannot be ruled out. Thus, keeping in view the antecedents of the petitioner(s) (in all cases), gravity and seriousness of the allegations, learned counsel prayed for dismissal of all the petitions.

21. I have heard learned counsel for the parties at length and carefully gone through the record and material available on record.

Judicial Pronouncement/Binding precedent:

22. Before advertng with the facts of present case as well as entitlement of petitioners to bail, it is inevitable to notice judicial pronouncements of Hon'ble Supreme Court especially in view of the fact that allegations against petitioners are under NDPS Act which are stringent provisions.

23. A three Judge Bench of Hon'ble Supreme Court in

P.Chidambaram vs. Central Bureau of Investigation (2020) 13 SCC

337, held as under:

21. *The jurisdiction to grant bail has to be exercised on the basis of the well-settled principles having regard to the facts and circumstances of each case. The following factors are to be taken into consideration while considering an application for bail:-*

(i) the nature of accusation and the severity of the punishment in the case of conviction and the nature of the materials relied upon by the prosecution;

(ii) reasonable apprehension of tampering with the witnesses or apprehension of threat to the complainant or the witnesses;

(iii) reasonable possibility of securing the presence of the accused at the time of trial or the likelihood of his abscondence;

(iv) character behaviour and standing of the accused and the circumstances which are peculiar to the accused;

(v) larger interest of the public or the State and similar other considerations (vide Prahlad Singh Bhati v. NCT, Delhi and another (2001) 4 SCC 280).

22. *There is no hard and fast rule regarding grant or refusal to grant bail. Each case has to be considered on the facts and circumstances of each case and on its own merits. The discretion of the court has to be exercised judiciously and not in an arbitrary manner. At this stage itself, it is necessary for us to indicate that we are unable to accept the contention of the learned Solicitor General that “flight risk” of economic offenders should be looked at as a national phenomenon and be dealt with in that manner merely because certain other offenders have flown out of the*

country. The same cannot, in our view, be put in a straight-jacket formula so as to deny bail to the one who is before the Court, due to the conduct of other offenders, if the person under consideration is otherwise entitled to bail on the merits of his own case. Hence, in our view, such consideration including as to “flight risk” is to be made on individual basis being uninfluenced by the unconnected cases, more so, when the personal liberty is involved.”

24. A two Judge Bench of Hon'ble Supreme Court in ***Prahlad Singh Bhati v. NCT, Delhi*** (SCC pp. 284-85, para 8) has held:-

“8. The jurisdiction to grant bail has to be exercised on the basis of well-settled principles having regard to the circumstances of each case and not in an arbitrary manner. While granting the bail, the court has to keep in mind the nature of accusations, the nature of [the] evidence in support thereof, the severity of the punishment which conviction will entail, the character, behaviour, means and standing of the accused, circumstances which are peculiar to the accused, reasonable possibility of securing the presence of the accused at the trial, reasonable apprehension of the witnesses being tampered with, the larger interests of the public or State and similar other considerations. It has also to be kept in mind that for the purposes of granting the bail the legislature has used the words ‘reasonable grounds for believing’ instead of ‘the evidence’ which means the court dealing with the grant of bail can only satisfy it (sic itself) as to whether there is a genuine case against the accused and that the prosecution will be able to produce prima facie evidence in support of the charge. It is not expected, at this stage to have the evidence establishing the guilt of the accused beyond reasonable doubt.”

25. Recently, a coordinate bench of this court in ***Bikram Singh Majithia Vs State of Punjab (CRM-M-21391-2022 decided on 10.08.2022)*** has granted bail where period of custody of accused was about 6 months, petitioner was alleged to have committed offences punishable under Sections 25, 27A and 29 of NDPS Act. The coordinate bench has granted bail after noticing judicial precedents relating to bail in case of allegation of commission of offence punishable under NDPS Act and factual matrix.

26. Keeping in mind above common facts and figures, there is need to examine role of each petitioner and adjudicate their petitions, accordingly.

27. Admittedly, the present case pertains to the heavy recovery of 1 Kg. 260 grams of Heroin as well as illegal arms and cartridges. Petitioner-Harmanjit Singh (in CRM-M-26039-2021), was arrested on 28.04.2021 along with co-accused Ravinder Iqbal Singh @ Rubal. Verna car bearing registration No. PB-10-HK-9887 being driven by both the accused was taken into police possession. He was nominated in the present case on the basis of secret information. Nothing has been recovered from him under the NDPS Act and he is also not involved in any other case under the NDPS Act.

28. Petitioner-Amitoj Singh @ Ricky (in CRM-M-5228-2021) was arrested in the present case on 14.07.2021 and one Verna Car bearing Registration No. PB-65-AT-8954 along with RC and Driving Licence bearing No. 10CJ7009 NOC and other documents related to co-accused, namely Gavy @ Vijay and Samual, were recovered from him. Nothing

has been recovered from him under the NDPS Act and he is also not involved in any other case under the NDPS Act.

29. Petitioner-Samual (in CRM-M-3047-2022) was arrested on 08.05.2021. During interrogation, he suffered a disclosure statement and got recovered one pistol .315 bore along with 03 live cartridges which were given to him by co-accused-Gavy @ Vijay. Nothing has been recovered from him under the NDPS Act in the present case.

30. Petitioner-Sumit Kumar (in CRM-M-19956-2022), was implicated in the present case on the basis of disclosure statement of co-accused-Bharat Kumar. He was arrested on 12.06.2021 and during his search, 08 imported SIM cards were recovered which were taken into police possession. During interrogation, Sumit Kumar, suffered a disclosure statement and got recovered 34 international mobile phone SIM cards. Nothing has been recovered from him under the NDPS Act as well as under the Arms Act and he is also not involved in any other case.

31. In view of the above and keeping in view the totality of the facts and circumstances of cases in hand, period of incarceration suffered by the petitioners, namely; Harmanjit Singh, Amitoj Singh @ Ricky, Samual and Sumit Kumar, particularly the fact that no recovery of contraband under the NDPS Act has been effected from them and the extent and nature of their involvement is a debatable issue and would be adjudicated during the course of trial which is going at a snail's pace, I deem it fit to grant bail to the aforesaid petitioners.

31. Accordingly, CRM-M-26039-2021, CRM-M-52228-2021,

CRM-M-3047-2022 and CRM-M-19956-2022 are allowed and petitioners, namely; Harmanjit Singh, Amitoj Singh @ Ricky, Samual and Sumit Kumar ordered to be released on bail, subject to the following conditions:-

- i) Furnish bond of Rs. 10 lakh with two sureties of Rs. 10 lakh each.
- ii) The petitioners shall surrender their passports in the trial court, if they are holding these and are still with them.
- iii) The petitioners shall appear before trial court on each and every date unless exempted by court.
- iv) The petitioners shall appear before Investigating Officer as and when summoned.
- v) The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or who is cited as witness.
- vi) The petitioners shall not involve in any criminal activity and if during the pendency of trial, they are found involved in commission of similar nature, the prosecuting agency would be free to approach this court for recalling this order and cancellation of their bail.

33. So far as, petitioners, namely;-Gurjashanpreet Singh, Gavy @ Vijay Kumar-petitioner and Bharat Kumar, are concerned, petitioner-Gurjashanpreet Singh in CRM-M-25878-2021, was arrested on 28.04.2021 along with co-accused, namely; Karanveer Singh @ Kana. He was sitting in Black Scorpio car bearing registration No. PB-46-AD-8880 being driven by his co-accused Karanvir Singh @ Kanna. 260 grams of heroin was recovered underneath the seat of car. One.32 bore pistol along with Magazine and 12 cartridges were recovered also from the co-accused-Karanvir Singh @ Kanna.

34. Gavy @ Vijay Kumar-petitioner in CRM-M-42045-2021, was nominated in the present case on the basis of secret information received on 23.04.2021. He was arrested by the police on 26.04.2021 from Kalpanpuri with the help of local police of Police Station Adityapur, District Sarai Keila, Jharkhand and one Fortuner car bearing registration No. DL-10-CJ-7009, was recovered from him. On 05.05.2021, Gavy @ Vijay Kumar, suffered a disclosure statement and got recovered 1 kg of heroin and one pistol .30 bore containing 5 live cartridges from the flat (in Urban Homes). Petitioner- Gavy @Vijay Kumar , also suffered another disclosure statement and got recovered one 7.56 MM pistol along with 8 live cartridges.

35. Bharat Kumar-petitioner in CRM-M-42522-2021, was arrested on 09.06.2021 and one pistol.30 bore along with 05 live cartridges, car bearing registration No. WB-02-R-4500 make Honda Accord was recovered from him. During the search of car fake driving licence and ID card of Constable Amarjit Singh of Haryana Police and photostat copy of rent deed of Flat No. B153/201 SP Sukho Brity Action Area No. 3 Second Floor Police Station New Town Kolkata-700135, West Bengal was also recovered. During interrogation, he disclosed about the hideout of co-accused-Jaipal Singh Bhullar and Jaspreet Singh @ Jassi in Koltaka, West Bengal and on 09.06.2021, aforesaid Jaipal Singh Bhullar and Jaspreet Singh @ Jassi, were neutralized by the police.

36. From all the three aforesaid petitioners, heavy recovery of contraband under the NDPS Act as well as illegal weapons were effected. The contraband recovered on the basis of disclosure statement of

accused-Gavy @ Vijay Kumar falls within the ambit of 'commercial quantity' which attract rigours of Section 37 of the NDPS Act. The allegations against the petitioners are very serious in nature which needs no leniency at this stage. The drug peddlers have successfully destroyed the social fabric of our society and led youth to the wrongful path. Such type of persons need to be dealt with firmly and sternly and no sympathy can be shown to them lest that should prove to be counter productive and result in increased drug trafficking. Hon'ble Supreme Court in its judgment passed in ***Union of India Vs. Ram Samujh: 1999(4) RCR (Criminal) 93*** has observed as under:-

*"7. It is to be borne in mind that the aforesaid legislative mandate is required to be adhered and followed. It should be borne in mind that in murder case, accused commits murder of one or two persons, while those persons who are dealing in narcotic drugs are instruments in causing death or in inflicting death blow to number of innocent young victims, who are vulnerable; it causes deleterious effects and deadly impact on the society; they are a hazard to the society; even if they are released temporarily, in all probability, they would continue their nefarious activities of trafficking and/or dealing in intoxicants clandestinely. Reason may be large stake and illegal profit involved. This Court, dealing with the contention with regard to punishment under Narcotic Drugs And Psychotropic Substances Act, has succinctly observed about the adverse effect of such activities in ***Durand Didier v. Chief Secretary, Union Territory of Goa , 1989(2) RCR (Crimina l) 505 : 1990(1) SCC 95*** as under :-*

"With deep concern, we may point out that the organised activities of the underworld and the clandestine smuggling of narcotic drugs and

psychotropic substances into this country and illegal trafficking in such drugs and substances have led to drug addiction among a sizable section of the public, particularly the adolescents and students of both sexes and the menace has assumed serious and alarming proportion in the recent years. Therefore, in order to effectively control and eradicate this proliferating and booming devastating menace, causing deleterious effects and deadly impact on the society as a whole, the Parliament in the wisdom has made effective provisions by introducing this Act 81 of 1995 specifying mandatory minimum imprisonment and fine."

37. Moreover, antecedents are also not good as they are habitual offenders and involved in several other cases of heinous crime. It has been observed by the Hon'ble Supreme Court in case ***Gudikanti Narasimhulu Vs. Public Prosecutor, High Court of A.P. : (1978) 1 SCC 240*** that deprivation of freedom by refusal of bail is not for punitive purposes but for the bifocal interests of justice. It has further been observed that it is rational to enquire into the antecedents of the man who is applying for bail to find out whether he has a bad record, particularly a record which suggests that he is likely to commit serious offences while on bail.

38. In view of the discussion made above and the totality of facts and circumstances of the cases, gravity of offence, I am of the considered opinion that petitioners, namely; Gurjashanpreet Singh, Gavy @ Vijay Kumar and Bharat Kumar, do not deserve the concession of regular bail. Resultantly, the petitions bearing CRM-M-Nos. 25878, 42045 and -

42522-2021 are hereby dismissed.

39. Nothing said herein above shall tantamount to expression of opinion on the merits of the case.

40. Pending application(s), if any (in all cases), also stand disposed of in view of the abovesaid judgment.

26.04.2023

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**(ASHOK KUMAR VERMA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No