

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40469-2021
DECIDED ON: 14st FEBRUARY, 2023

GURPREET SINGH @ GOPI

....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Ashok Kumar Sama, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. AG, Punjab.

SANDEEP MOUDGIL, J. (ORAL)

The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for the grant of regular bail to the petitioner in FIR No. 26, dated 12.05.2021, under Sections 409, 328, 182, 195, 199 and 120-B IPC and Sections 25 and 27 of Arms Act, registered at Police Station Amir Khas, District Fazilka.

Learned counsel for the petitioner has contended that neither the petitioner has been named in the FIR nor has been arrested from the spot. It is asserted that the petitioner has been arrayed in the present case on the basis of disclosure statement of Gurpartap Singh, who has been granted the concession of regular bail by this Court vide order of the even date passed in CRM-M-33883-2021.

Custody certificate of the petitioner filed by the counsel for the State is taken on record. According to which the petitioner has undergone incarceration for a period of 1 year 7 months and 2 days.

Learned State counsel opposes the prayer made in the present petition on the ground that the petitioner is a hard core criminal and is involved in three more cases. Out of those three cases, in two, he is on bail and in one case he has been acquitted. Apart from that there is no other case against the petitioner.

Considering the custody period undergone by the petitioner and the fact that vide order of the even date passed by this Court the co-accused of the petitioner namely Gurpartap Singh has been granted the concession of regular bail added with the facts that challan stands presented and conclusion of trial shall take sufficient long time, this Court is of the considered view that no fruitful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

The petitioner is ordered to be released on regular bail subject to his furnishing personal and surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

14st FEBRUARY, 2023

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>