

CRA-D-731-2022

2023 : PHHC : 127197-DB

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

CRA-D-731-2022

Date of decision:- 25.09.2023

Lovepreet Singh @ Love

....Appellant

vs.

State of Punjab

...Respondent

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI  
HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Saurabh Bhatia, Advocate  
For the appellant.

Mr. J.S. Mehndiratta, Addl.A.G. Punjab with  
Mr. Alankar Narula, AAG, Punjab

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**Ritu Bahri, J.**

1. The instant appeal has been filed under Section 21 of the National Investigation Agency Act, 2008 read with Section 372 of Cr.P.C. and has been directed against the order dated 22.08.2022 passed by learned Additional Sessions Judge, Kapurthala, in case bearing FIR No. 140 dated 07.05.2020, registered under Sections 384, 465, 467, 468, 471, 473, 488 & 482/120-B/121/121-A of IPC, Section 25 of Arms Act, and Section 13, 18, & 167 of Unlawful Activity Prevention Act, 1967, registered at Police Station Sultanpur Lodhi, District Kapurthala, whereby the bail application filed by the present appellant had been dismissed.

2. It is submitted by the appellant that the impugned order dated 22.08.2022 is not sustainable in the eyes of law and is liable to be set aside as he has been falsely implicated in this case. He was not named in the FIR. He has been

involved in this case on the basis of disclosure statement of the co-accused and two pistols were recovered from him. Hence prayer has been made for allowing the appeal and extending benefit of regular bail to him.

3. Learned AAG, Punjab representing the respondent-State has contested the application by submitting that there are serious allegations against the appellant and there are chances of his misusing the concession of bail, if granted. Hence, it has been urged by him that the appeal does not deserve to be allowed.

4. It has been submitted by learned State counsel that out of 36 witnesses which are to be examined by the prosecution, three have since been examined. The trial is likely to take time.

5. Learned counsel for the appellant has placed reliance upon order dated 25.08.2023 passed in CRA-D-924-2022 whereby accused Balwinder Singh @ Baba had been extended benefit of regular bail. Balwinder Singh @ Baba was arrested on the disclosure statement of co-accused. The present appellant was arrested on the disclosure statement of Balwinder Singh @ Baba. As per the custody certificate, the appellant is in custody for a period of 3 years, 4 months and 08 days.

5. Keeping in view the fact that the trial is not likely to conclude in near future and the nature of the allegations as levelled against the appellant, we are of the opinion that appeal deserves to be allowed. Hence the same is allowed and the appellant is ordered to be released on bail within a week from today on furnishing bail bonds/surety bonds to the satisfaction of Special Court, Kapurthala. The Special Court shall also put a condition that the appellant shall report in the local police station after every 15 days on 1st and 15th of the month at 10:00 am before

the concerned SHO, to ensure that his whereabouts as such are always ascertainable.

6. The present appeal stands allowed, accordingly. Needless to say, the observations made herein are not binding upon the merits of the case.

**(RITU BAHRI)**  
**JUDGE**

**(MANISHA BATRA)**  
**JUDGE**

25.09.2023  
**G Arora**

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