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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 59011-2022 (O&M)

Date of Decision: 03.05.2023

Gurjit Singh alias Ladda

... Petitioner

V/s.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Kulwinder Singh, Advocate
for the petitioner.
Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 50 dated 18.09.2017 under Sections 307, 353, 186, 467, 468, 473, 25 IPC registered at Police Station Sadar Rajpura, District Patiala.

As per the prosecution version, on 18.09.2017 Inspector Bikramjit singh, Incharge CIA staff, Patiala-2 along with police party was present at Near Shiv Mandir Nalas, Rajpura for the search of bad elements where informer gave information to Inspector Bikramjit Singh that Gurjit Singh alias Ladda, who is having relations with many gansters and have forged a gang with Vicky Gonder, Harry Chatha, Gopi Ghanshampuriya, Gopi Koda, Sukh Bhihriwal and Prema Lohriya and is habitual of committing docaity and kidnapping and is also involved in Nabha Jail Break

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case and is having Arms and also prepared forged documentary proof by affixing his photographs, is coming from Chandigarh Mohali to Rajpura in White Blue colour Pajero having forged number, can be apprehended with large quantity of weapons and forged identity proofs. After some time, the said car came and the said Inspector gave signal to the driver to stop the car but the driver increased the race of the same with intention to kill Inspector Bikramjit Singh and other police officials though they saved themselves by taking their positions. After breaking first barricade, the car stopped at the second barricade and the driver, who was apprehended by the police disclosed his name as Gurjit Singh alias Ladda and from his possession, one pistol Magazine .30 Bore, 6 live cartridges and 44 cartridges from right pocket were recovered.

Learned counsel for the petitioner prays for grant of regular bail to the petitioner and contends that there is no one to look after the family of the petitioner. He further contends that all the prosecution witnesses are interested in the case. So, there is no question of winning over them. He submits that the petitioner undertakes not to influence any of the prosecution witnesses and he is the permanent resident of address mentioned in memo of parties, as such there is no likelihood of his absconding and the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Reply along with the custody certificate has been filed by the respondent-State and the same are taken on record.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of

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regular bail to the petitioner, while submitting that that the petitioner is a habitual offender who is involved in 18 other cases and out of those 18 cases, 03 FIRs have been registered under Section 302 IPC and 08 FIRs under Section 307 IPC.

As per para 5 of the reply dated 02.05.2023 filed by the respondents-State, it is stated that during police remand on 19.09.2017, the petitioner disclosed that Harvinder Singh alias Sona, son of Sardul Singh r/o Village Dhand Kasel Police Station Sarai Amanat Khan, district Tarn Taran was coming to Zirakpur to give him pistol. So at the instance of the petitioner, Harvinder Singh alias Sona was arrested along with one pistol and 04 cartridges. During interrogation of the accused Harvinder Singh alias Sona, disclosed that he is involved in many other criminal cases of snatching, murder, taking ransom etc. It has also been stated that during the interrogation, the petitioner disclosed he got prepared fake passport with the help of Narinder Singh Mahal, S/o Avtar Singh, R/o Ganesh Ganj, Tehsil Puranpur, District Bhilibheet (UP). So Narinder Singh Mahal was also nominated as an accused in this case. During the investigation of the case, various evidence came on record against Parveer Singh alias Pappi son of Sukhdev Singh r/o Village Sathyala P.S. Beas District Amritsar, Lovepreet Singh alias Lovi son of Sucha Singh resident of House No. 111 Guru Nanak Pura West Jalandhar, District Jalandhar etc., so they were also nominated as accused in this case.

I have heard learned counsel for the parties.

It has been observed by this Court that the trial Court dismissed the second bail application of the petitioner on the ground that the petitioner

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is a habitual offender and he is having relations with many Gangsters and has forged a gang with Vicky Gonder, Harry Chatha, Gopi Ghanshampuriya, Gopi Koda, Sukh Bhihriwal and Prema Lohriya and is habitual of committing decoity and kidnapping and is involved in Nabha Jail Break case. The deadly weapons along with cartridges and forged documents have been recovered from him. Moreover, during the course of interrogation, the accused himself admitted the fact regarding his involvement in so many cases of kidnapping, extortion, decoity murder etc.

Even as per prosecution story, the petitioner when apprehended by the police, broke the police barricades and on search of his Pajero car, One RC, one Voter Card containing the photo of the petitioner but in the name of Suring Singh son of Jaspal Singh issued from UP and one PAN Card in the name of Surjit Singh containing the photograph of the petitioner were recovered by the police. On the basis of these forged documents, he got prepared fake passport with the help of one Narinder Singh Mahal, co-accused. On the statement of the accused Gurjit Singh, one harvinder Singh alias Gona was nominated. The deadly weapons along with cartridges and forged documents have been recovered from the petitioner

In view of above, finding no ground to grant regular bail to the petitioner, the petition is dismissed.

(DEEPAK MANCHANDA)
JUDGE

03.05.2023

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