

[248] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3899-2024
Date of Decision : 30.01.2024

Sukhbir Singh @ Sunny @ Sukhveer Singh ...Petitioner
versus
State of PunjabRespondent

Coram : HON'BLE MR. JUSTICE DEEPAK GUPTA

Present : Mr. Amaninder Singh Sekhon, Advocate for the petitioner.

DEEPAK GUPTA, J. (ORAL)

[1] The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.21, dated 27.10.2023 under Sections 384/506/120-B of IPC, 1860, Sections 25/25(7) of the Arms Act, 1959 (Sections 212/216 of the IPC vide Special Report dated 03.11.2023 added lateron), registered at Police Station Special State Operation Cell (SSOC), SAS Nagar, Mohali, District SAS Nagar, Mohali.

[2] As per prosecution allegations, Jahar Singh @ Prince Chauhan was stated to be kingpin of Davinder Bambiha Group as disclosed in the secret information and said Jahar Singh was operating the group from abroad and used to extort money from the rich people by threatening them. It was further alleged that Harmanpreet Singh @ Happy, Lovepreet Singh @ Gagana alongwith unknown companions used to help him in the illegal activities. Prince Chauhan was alleged to have sent illegal ammunicions in huge quantity to them.

[3] During investigation, Harmanpreet Singh @ Happy suffered his disclosure statement on basis of which, the petitioner was nominated.

As per his disclosure statement, after committing the crime said co-accused Harmanpreet Singh @ Happy used to reside with the petitioner in his house or the electric motor and that he also used to keep his ammunition with the applicant.

[4] Learned counsel contends that the petitioner has been falsely implicated in the case; that he has nothing to do with the co-accused; that he is not involved in any criminal activity; at the most, the attribution to him is for an offence under Section 212 & 216 IPC, which are bailable.

[5] Notice of motion.

[6] Mr. Amit Rana, learned Sr. DAG, Punjab, accepts notice on behalf of the respondent-State.

[7] Learned State Counsel concedes the fact that except the attribution to the effect that the co-accused used to reside with him, there is no allegations against the petitioner. Learned State Counsel also informs that petitioner is not involved in any other case and that he is in custody in the present case ever since 03.11.2023.

[8] Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

30.01.2024
'Rajneesh'