

227

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-5142-2024
Date of decision:-15.03.2024

GURPREET SINGH @ GOPI

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Arun Rana, Advocate
for the petitioner.
Mr. Japjot Singh, AAG, Punjab.

SANJIV BERRY, J. (ORAL)

Learned counsel for the State has filed Custody certificate dated 14.03.2024, the same is taken on record. Copy thereof has been supplied to the counsel opposite.

2. The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail in the following case :-

FIR No.	Dated	Sections	Police Station
14	03.02.2023	420, 465, 467, 468,471, 120-B IPC and 25 of Arms Act	Payal, Tehsil Khanna, District Ludhiana

3. It is *inter alia* contended by learned counsel for the petitioner that the petitioner was not named in the FIR but was nominated on the

disclosure statement of one Yadwinder Singh @ Yadu. He submits that such disclosure statement has no evidentiary value and the petitioner is in custody since 13.02.2023. He submits that challan has already been presented in Court and the disposal of trial will take sufficient long time, hence he prays for grant of concession of bail to the petitioner.

4. *Per contra* learned counsel for State has not disputed the factual matrix of the case but opposed the bail application on the ground that petitioner is facing other cases also.

5. After considering the rival contentions and going through the record, it transpires that petitioner was not named in the FIR but was nominated on the basis of disclosure statement of accused Yadwinder Singh @ Yadu. From the possession of the petitioner one country made pistol is recovered and he is custody since 13.02.2023, after conclusion of investigation challan has been presented in Court and prosecution has cited 16 witnesses but none of them have been examined till date. The evidentiary value of the disclosure statement could not be ascertained at this stage. The petitioner is stated to be on bail in other cases. The conclusion of trial will take sufficient long time and no purpose would be served by keeping petitioner behind bars any longer.

6. Resultantly, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other

case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

15.03.2024

Gyan	i)	Whether speaking/reasoned?	Yes/No
	ii)	Whether reportable?	Yes/No