



CRM-M-10253-2024

**224 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**CRM-M-10253-2024
Decided on : 22.08.2024

Justin Gill @ Jassa

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent : Mr. G.S.Simble, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

1. This is the petition filed by the petitioner seeking concession of regular bail in case FIR No.56 dated 19.12.2023 under Sections 109, 115, 120-B, 307 IPC and Section 25 of Arms Act and Sections 21, 22 and 29 of NDPS Act registered at Police Station SSOC Amritsar Police District Intelligence Wing (CID) District Gurdaspur.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, which is evident from the fact that although a secret information was received qua three persons including the petitioner, however, even as per the case of the prosecution, the petitioner was not apprehended along with the co-accused Sukhpinder Singh from whom a recovery of



firearms along with ammunition was allegedly affected, and who on being intercepted by the police, tried to run over his vehicle over them. Learned counsel has further submitted that the petitioner was later on arrested on 25.12.2023 and allegations were levelled that he too on being signalled to stop by the police tried to run over them. Learned counsel has still further submitted that it is thus, evident that a false and fabricated case has been planted upon the petitioner, more so, when no recovery of any narcotic substance was affected from him. It has also been submitted that even though challan was presented way back on 23.02.2024, charges had not yet been framed and hence, in the given circumstances, further incarceration of the petitioner would serve no useful purpose and he thus, deserved to be enlarged on bail.

3. Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner has drawn the attention of this Court to the FIR in question, which has been annexed as Annexure P-1 and submitted that a specific secret information was received qua the involvement of three persons including the petitioner that they were part of a criminal gang, which had been getting consignment of illegal arms and ammunitions. Learned State counsel, on instructions, has submitted that although the petitioner was not apprehended with the co-accused Sukhpinder Singh qua whom also the alleged secret information was received, however,



the police had been on the trail of the petitioner keeping in view his criminal antecedents. Following a tip off, on 25.12.2023 when the petitioner was signalled to stop by the police party while driving his car, he tried to flee away from the spot but not before trying to run over the police party. The petitioner was then apprehended at the spot by the police party. Learned State counsel has further submitted that admittedly, no recovery of any contraband was affected from the petitioner, however, a mobile handset along with some cash was recovered from him. Learned counsel has still further submitted that the trial is at crucial stage as even charges have not been framed against the petitioner. It has also been brought to the notice of this Court by the learned State counsel that the petitioner is booked under four other criminal cases including one case under 302 IPC, two cases under Section 307 IPC and one under Section 420 IPC. It has been submitted that in case, the petitioner is enlarged on bail, there is every likelihood that he could engage in some other criminal activities, more so, when he committed the present crime while he was on bail in the other cases pending against him. Learned State counsel has also submitted that when one of the co-accused Sukhpinder Singh, who was absconding, was arrested as recently as on 04.01.2024, he suffered a disclosure statement leading to the recovery of 4 grams of ICE.

4. I have heard learned counsel for the parties and perused the material placed on record.



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5. *Prima facie*, the petitioner comes across as a habitual offender and is a man of criminal antecedents. In view of the specific secret information received qua the involvement of the petitioner in illegal activities, in particular of he being part of a criminal gang operating in District Gurdaspur, this Court does not deem it fit to extend the concession of regular bail to the petitioner at this stage. Accordingly, the instant petition stands dismissed.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

22.08.2024
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No