

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

CRM-M-12482-2023
Date of Decision : 10.01.2024

Gurpreet Singh alias Gopi ...Petitioner
versus
State of PunjabRespondent

Coram : HON’BLE MR. JUSTICE DEEPAK GUPTA
Present : Mr. Salil Dev Singh Bali, Advocate for the petitioner.
Mr. Karunesh Kaushal, AAG, Punjab.
Mr. A.S. Manaise, Advocate for the complainant.

DEEPAK GUPTA, J. (ORAL)

[1] Status report by way of affidavit dated 06.01.2024 of Shri Shubeg Singh, PPS, Deputy Superintendent of Police, Sub Division Fazilka, District Fazilka, on behalf of the respondent-State along with custody certificate dated 09.01.2024 have been filed in Court today. The same are taken on record.

[2] The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.70 dated 25.07.2021 under Sections 302 & 34 of IPC and Sections 25 & 27 of the Arms Act, registered at Police Station Khui Khera, Punjab.

[3] As per the prosecution allegations, petitioner and co-accused i.e. the father of the petitioner, in connivance with each other came to the spot to kill Pushpinder Singh (son of the complainant).

[4] Allegations are that it is co-accused Jaswinder Singh, who fired shots directly at the victim-Pushpinder Singh from his licenced revolver.

accused for doing so and after the crime, petitioner also took his father on his bullet motorcycle.

[5] Contention of the learned counsel is that the petitioner is falsely involved in the case; that petitioner did not participate in the crime; that he is in custody for the last more than 1 year and 3 months; that trial may take time to conclude and petitioner has no criminal antecedents.

[6] Heard.

[7] As per the custody certificate placed on the record, the petitioner is in custody for the last 01 year, 03 months and 18 days. He has no criminal antecedents. The fatal shot was fired from revolver by the co-accused and not by the petitioner.

[8] Having regard to the above facts and circumstances, particularly role attributed of the petitioner, 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

10.01.2024
'Rajneesh'

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