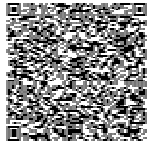


2024:PHHC:109603



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

221

CRM-M-40331-2024 (O&M)
Date of decision: 27.08.2024

Ranjit Singh @ Sonu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

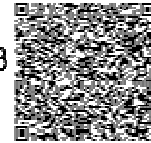
Present:- Mr. Sahazpal Singh, Advocate
for the petitioner.

Mr. A. S. Samra, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. This petition has been filed by the petitioner under Section 483 of Bhartiya Nagarik Suraksha Sanhita, 2023 seeking regular bail in case bearing FIR No. 0021 dated 13.05.2024, registered under Section 120-B of IPC and Sections 25(6) & 25(7) of the Arms Act, 1959 at Police Station Punjab State Crime, SAS Nagar, District-Crime Wing, SAS Nagar.
2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the allegations that on 13.05.2024, on receipt of a secret information that co-accused Gurvinder Singh @ Guri @ Shera, who was an active member of a group of gangsters operating from abroad, was coming to commit some crime and at that point of

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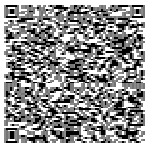


time, he along with his accomplices Gurpreet Singh, petitioner Ranjit Singh @ Sonu and Jagjit Singh @ Jashan was coming from Patiala side to Zirakpur in a white color Scropio car. It is further informed that if *nakabandi* was laid, he could be apprehended with huge cache of illicit weapons. Believing the information to be true, a *nakabandi* was immediately laid at the informed place by the police officials. The petitioner along with co-accused was apprehended. One pistol of .32 bore with 05 live cartridges was recovered from the petitioner. Recovery of weapons was also effected from the co-accused. They were formally arrested. Investigation has since been completed. The petitioner had moved an application for grant of regular bail before the Court of learned Additional Sessions Judge, SAS Nagar, which had been dismissed, vide order dated 03.07.2024.

3. It is argued by learned counsel for the petitioner that he is in custody since 13.05.2024. Investigation has since been completed. He has been arrested merely on suspicion. A false recovery has been planted upon him. Apart from this case, he is involved in one more case under the NDPS Act, 1985. The trial is likely to take time. No useful purpose would be served by keeping him in custody anymore. There is nothing on record to show that he is a member of any organized crime. Hence, it is prayed that the present petition deserves to be allowed.

4. *Per contra*, learned State counsel, who has advance notice of the petition, has submitted that he is ready to argue the matter and has submitted that keeping in view the severity of the allegations as levelled against the

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petitioner, he does not deserve to be granted concession of regular bail. Therefore, it is urged that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also gone through the material placed on record very carefully.

6. The petitioner, who is alleged to be a member of a gang involved in committing organized crimes, is alleged to have been found in unauthorized possession of a country made pistol along with 05 live cartridges. He is in custody since 13.05.2024. His custodial interrogation is no more required. The trial is likely to take some time. No recovery remains to be effected from him. It is a debatable question as to whether he is a member of an organized crime syndicate or not. As such, his further detention would not serve any useful purpose. Keeping in view the aforesaid facts and circumstances, I am of the considered opinion that this petition deserves to be allowed.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

27.08.2024
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No