



211 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-42522-2024
Date of Decision: 05.09.2024

GURPREET SINGH ALIAS BHAIRO
....Petitioner

VERSUS

STATE OF PUNJAB
....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Satvir Singh, Advocate for the petitioner.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab.

KARAMJIT SINGH, J.

Prayer in the present petition under Section 483 of BNSS is for grant of regular bail to the petitioner in case FIR No.160 dated 19.08.2023 registered for the offences punishable under Sections 21, 29 of NDPS Act and Sections 25 and 27 of Arms Act and Section 483 of IPC at Police Station City Sangrur, District Sangrur.

2. The allegations in nutshell are that the present petitioner along with Jaspal Singh @ Billa, Chamkaur Singh and Prem Singh @ Premi was arrested in a criminal case having FIR No.277 dated 31.12.2022 registered under Section 307 of IPC etc. at Police Station City Sangrur. During investigation of the said case, the petitioner and aforesaid three persons suffered disclosure statements and resultantly police recovered 1Kg 300 grams of heroin and one country-made pistol from i-20 car owned by Prem Singh @ Premi at his instance. The police



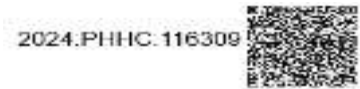
recovered one revolver with six live cartridges from Scorpio Car belonging to Chamkaur Singh. Two country-made pistols were recovered by the police from a Swift Car belonging to Jaspal Singh @ Billa at the instance of the present petitioner and said Jaspal Singh.

3. Counsel for the petitioner submits that no contraband was recovered at the instance of the petitioner in the present case and he is incarcerated for the last more than 1 year and that it will take considerable time for final disposal of the case as till date no prosecution witness is examined. So, prayer is made that petitioner be released on regular bail.

4. Present petition is resisted by the State Counsel, who on instructions from ASI Hakam Singh submits that one country-made pistol was recovered at the instance of present petitioner from a Swift Car. Learned State Counsel has not refuted the fact that no contraband was recovered at the instance of the petitioner and that petitioner is in custody for the last more than 1 year. However, the State counsel submits that the petitioner is involved in number of criminal cases. He also brought to the notice of this Court that till date prosecution has failed to examine any witness during trial and the next date fixed in trial is 05.10.2024.

5. I have considered the submissions made by the counsel for the parties.

6. The veracity and relevance of the disclosure statements stated to be suffered by petitioner and other co-accused will be tested during trial. Apparently, recovery of no contraband was effected from the



petitioner and only one country-made pistol is stated to be recovered at the instance of the petitioner on the basis of alleged disclosure statement suffered by him.

7. Admittedly, the petitioner is in custody for the last more than 1 year and it will take time for the trial to terminate. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

8. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

05.09.2024
Priyanka Thakur

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