



CRM-M-47888-2024

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234 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47888-2024
Decided on : 27.09.2024

Gurmukh Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rupinder Singh Rana, Advocate
for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

1. This is the second petition filed by the petitioner seeking concession of regular bail in case FIR No.26 dated 26.02.2023 under Sections 457, 380, 148 and 149 IPC and Sections 25/54/59 of Arms Act (Sections 427, 201, 511 IPC and Sections 25(6), (7) (8) of Arms Act added later on) registered at Police Station Sadar Tarn Taran District Tarn Taran.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case, allegedly for his involvement in the offences of dacoity and robbery. While drawing the attention of this Court to the FIR in question, it is further argued that the version put-forth by the prosecution is highly implausible and on the face of it, appears to be blatantly false.



Learned counsel has also pointed out to material discrepancies and contradictions in the case of the prosecution, as is evident from the testimonies of PW-1 Mandeep Singh, PW-2 Lavraj Singh and PW-3 ASI Gurdeep Singh. In support, learned counsel has drawn the attention of this Court to Annexures P-2 to P-4. Additionally, it is submitted that the petitioner has been in custody since 26.02.2023 and with the evidence of the prosecution still incomplete, there is no likelihood of the trial concluding in the near future. Therefore, learned counsel has urged that under these circumstances, further incarceration of the petitioner would serve no useful purpose.

3. Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions, has drawn the attention of this Court to the allegations levelled in the FIR and submitted that a secret information was received regarding the accused, including the petitioner, preparing to commit dacoity and robbery. Acting on this information, a raid was conducted at the Kotak Mahindra Bank Building, resulting in the arrest of five persons, including the petitioner. It has been further submitted on instructions, that during this operation, a country made .315 bore pistol was also recovered from the possession of the petitioner. Learned State counsel has also drawn the attention of this Court to the custody certificate of the petitioner, which has been placed on record. It has been argued by the learned State counsel that a perusal of the custody certificate reveals that the petitioner is involved in number of



criminal cases and is a habitual offender. Learned State counsel has further submitted, on instructions, that the trial is nearing its conclusion, with only three prosecution witnesses left to be examined.

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

5. As per instructions received, the trial would not take much time to conclude as only three prosecution witnesses remain to be examined. *Prima facie*, there are serious and specific allegations levelled against the petitioner qua whom a secret information was also received by the police. The petitioner *prima facie* also comes across as a man of criminal antecedents.

6. In the facts and circumstances as enumerated hereinabove, this Court, thus, does not deem it fit to extend the concession of regular bail to the petitioner. 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.

27.09.2024
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(MANJARI NEHRU KAUL)
JUDGE

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