

CRM-M-51912-2024

2024:PHHC:139495

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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

(206)

CRM-M-51912-2024 (O & M)

Date of Decision:-24.10.2024

Rajwinder Singh

.....Petitioner.

Vs.

State of Punjab

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Robindeep Singh Bhullar, Advocate, for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this fourth petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) is for the grant of regular bail in case FIR No.170 dated 19.05.2023 under Section 25 of the Arms Act, 1959 (25 (7), (8) added later on) registered at Police Station Sohana, District SAS Nagar.

2. As per the First Information Report (FIR), on 19.05.2023 a secret information was received by Police that the petitioner along with co-accused, namely, Pulkit and Lovepreet Singh, members of the Lawrence Bishnoi Gang, were bringing large number of illegal weapons from Haryana in a car to Kurali. On the day of occurrence, a barricade was erected at the disclosed place. At about 04:30 pm, a white color car make Verna was seen coming from Zirakpur side, which was being driven by Lovepreet Singh while the petitioner was sitting by his side and accused Pulkit Mehta was on rear seat of the car. On seeing the police party, they stopped the car and tried



to turn back but were apprehended by the police party. On checking, one country made pistol 30 Bore along with 5 live cartridges were recovered from the petitioner while one country made pistol along with 2 live cartridges were recovered from accused Lovepreet Singh and Pulkit Mehta. They were arrested. In the course of investigation and as per disclosure statement of accused Rajwinder Singh, two more pistols and 5 live cartridges were recovered.

3. Learned counsel for the petitioner contends that allegations in the FIR are vague. The recovery which is alleged to have made has been planted upon the petitioner. He submits that petitioner has been falsely implicated in this case. Moreover, the co-accused of petitioner had been granted the concession of bail by the Court below. The challan had already been presented and conclusion of trial will take long time. Thus, no useful purpose would be served by keeping the petitioner behind the bars who is stated to be in custody since 19.05.2023.

4. The learned State counsel, on the other hand, contends that petitioner had committed a serious offence. He submits that petitioner was apprehended and one country made pistol along with five live cartridges was recovered from him. Moreover, on the disclosure statement of petitioner, two more pistols and 5 live cartridges were recovered from his house. He further submits that petitioner is a habitual offender as he is a convict in one other case bearing FIR No.387 dated 05.11.2018 under Section 302 R/W 34, 201 IPC and Section 25 of the Arms Act, Police Station Rajendra Park, Gurugram, District Gurugram. There is likelihood that petitioner may tamper with evidence and influence the witnesses, in case he is released on



bail.

5. I have heard rival contentions of learned counsels for the parties and have gone through the case file.

6. The allegations levelled against the petitioner are grave. He is a habitual offender having been convicted in one case of murder. His bail application came to be dismissed vide a detailed order dated 20.09.2023 passed in CRM-M-37693-2023. His last bail application was argued at length and withdrawn as recently as on 09.05.2024. No change in circumstances have been pointed out entitling him to the grant of bail. Further, the possibility of the petitioner influencing/intimidating the witnesses cannot be ruled out in view of the attending facts and circumstances.

7. In view of the above, I find no merit in the present petition and the same stands dismissed. However, the Trial Court is directed to conclude the Trial as expeditiously as possible but in any case not later than 06 months from the next date of hearing fixed before it.

(JASJIT SINGH BEDI)
JUDGE

October 24, 2024
sukhpreet

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