

214-A**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-55746-2023

Date of decision: 09.01.2024

Gurpreet Singh @ Gopi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Naveen Sharma, Advocate for the petitioner.

Mr. Mohit Kapoor, Addl. A.G. Punjab.

KARAMJIT SINGH, J. (ORAL)

1. The petitioner has filed the present petition under Section 439 of Cr.P.C for grant of regular bail in case having FIR No.147 dated 12.07.2023 under Sections 399, 402, 307 of IPC and Section 25/27 of Arms Act registered at Police Station Ram Pura District Bathinda.

2. The prosecution story in nutshell is that the police received a secret information on 12.07.2023 that the accused persons including the petitioner have assembled in an abandoned brick kiln and are armed with deadly weapons and planning to commit dacoity. The information being reliable, FIR was registered against the accused persons on the basis of aforesaid secret information. Then the police party raided the disclosed place from where petitioner Gurpreet Singh @ Gopi was apprehended and one pistol of 7.65 mm was recovered from his possession.

3. The counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is further contended that the petitioner is in custody since 12.07.2023 and the alleged recoveries are

already effected in the present case and on completion of investigation police has presented challan against all the accused persons including the petitioner and it will take considerable time for trial to conclude. So prayer is made that the petitioner be released on regular bail.

4. The present petition is resisted by the State counsel who submits that the petitioner is a habitual offender and is facing number of other criminal cases. It is further submitted that the trial is at initial stage and as such no ground is made out for grant of bail to the petitioner at this stage.

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

5. As per prosecution, the petitioner was apprehended from the place of occurrence and one pistol of 7.65 mm was recovered from his possession. After completion of investigation, challan has been presented against all the accused persons including the petitioner and the recoveries are already effected in this case and it will take considerable time for trial to conclude. In the given circumstances, no purpose is going to be served by keeping the petitioner in custody for any longer period even if he is involved number of other criminal cases.

6. In light of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

09.01.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No