



CRM-M-53392-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH
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CRM-M-53392-2024
Date of decision: 4th November, 2024

Gurvinder Singh @ Guri @ Shera @ Gurinder Singh
...Petitioner
Versus
State of Punjab
...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Raj Kaushik, Advocate for the petitioner.
Mr. A.S. Samra, AAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
21	13.05.2024	Punjab State Crime, SAS Nagar, District-Crime Wing, SAS Nagar	25(6) and 25(7) of Arms Act, 1959 and Section 120-B of IPC

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 petitioner- 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 time, he along with his accomplices Gurpreet Singh, Ranjit Singh @ Sonu and Jagjit Singh @ Jashan were coming from Patiala side to Zirakpur in a white coloured 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 07.10.2024.

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 six more FIRs, but is on bail in all cases. 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 syndicate. 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 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. 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.

[MANISHA BATRA]
JUDGE

4th November, 2024

Parveen Sharma	1. Whether speaking/ reasoned	:	Yes / No
	2. Whether reportable	:	Yes / No