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## Gurpal Singh @ Bunty Vs State Of Punjab

### Criminal Miscellaneous Petition (M) No. 6163 Of 2021

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**Court:** High Court Of Punjab And Haryana At Chandigarh

**Date of Decision:** Feb. 16, 2021

**Acts Referred:**

Code Of Criminal Procedure, 1973 " Section 439#Indian Penal Code, 1860 " Section 120B, 148, 149, 201, 212, 216, 342, 392, 395, 379B, 450#Arms Act, 1959 " Section 25, 27, 54, 59

**Hon'ble Judges:** Sudip Ahluwalia, J

**Bench:** Single Bench

**Advocate:** Vikram Satpal Anand, B.S. Sewak

**Final Decision:** Disposed Of

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### Judgement

Sudip Ahluwalia, J

1. The instant Petition has been filed under Section 439 of the Code of Criminal Procedure seeking Regular Bail on behalf of the Petitioner in case

FIR No.51, dated 17.02.2020, registered under Sections 392, 342, 395, 379-B, 212, 120-B, 216, 148, 149 of the Indian Penal Code and Section 25 of

the Arms Act (later on Sections 395, 379-B, 120-B, 212, 216, 201, 450 IPC and Sections 27-54-59, 25.1B(F) added), at Police Station Division No.6,

District Police Commissionerate Ludhiana.

2. Ld. State Counsel submits that the Petitioner along with the other accused persons in the case has purchased a gold melting machine and melted the

stolen gold which was allegedly sold. 12 ½ kgs. of stolen gold as well as melting machine has been recovered from other accused persons including

Gagan.

3. No recovery was however directly effected from the Petitioner.

4. It is also submitted by Ld. State Counsel that the Petitioner is involved in two other criminal cases, the details of which have been mentioned in Para

No.4 of the impugned order passed by the Ld. Additional Sessions Judge, Ludhiana (Annexure P-3), perusal of the same goes to reveal that both

those FIRs were drawn up subsequent to the present case on 12th and 19th March, 2020, respectively.

5. The Petitioner has remained in detention in the present case for nearly 09 months since 19.05.2020.

6. Trial has not yet commenced although Challan was submitted on 11.06.2020 even the charges are yet to be framed.

7. Co-accused Harpreet Singh has already been granted Regular Bail by this Court in CRM-M No.35459 of 2020 on 27.11.2020.

8. In such circumstances, further detention of the Petitioner for an indefinite period in the present case at this stage is not called for, since it transpires

that so far only Challan in the case has been presented and the trial is yet to commence, which once commenced is also likely to take its own

substantial time to complete due to ongoing Covid-19 Pandemic.

9. As such, without commenting any further on the merits of the present case as a whole, the prayer of the Petitioner for Regular Bail is allowed and

he is ordered to be released on bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

10. Disposed off.