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CRM-M-38041-2023

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213 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-38041-2023 (O&M)

Date of Decision: 31.01.2024

GURPREET SINGH @ GOPI

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vikas Bali, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

HARPREET SINGH BRAR J. (Oral)

1. Through the instant petition, the petitioner is seeking regular bail in in case FIR No. 60 dated 06.04.2023 registered under Sections 387, 389, 506, 509 and 120-B of Indian Penal Code (Sections 25, 27, 54 and 59 of Arms Act added later on) at Police Station Division No. 6, District Police Commissionerate Jalandhar.

2. Learned counsel for the petitioner *inter alia* contends that petitioner has been falsely implicated in the present on the basis of disclosure statement of co-accused Jaskaranjit Singh @ Sodhi, whose statement was recorded on 06.04.2023 and even in his statement, evidence with regard to complicity of the petitioner is very sketchy and it does not spell out anything with regard to the fact that the petitioner has taken active participation in demanding the ransom amount. Learned counsel for the petitioner further submits that the petitioner is of tender age and he has clean antecedents and there is nothing available on record to indicate his connection with this notorious gang.

3. Per contra, learned State counsel submits that ransom money along with 3.15 bore pistol and one live cartridge, were recovered from the



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petitioner and his co-accused. Learned State counsel further submits that the petitioner is a member of notorious gang of co-accused Jaggu Bhagwanpuria and the complainant is yet to be examined during the course of trial and in case the petitioner is released on bail, he is likely to intimidate and influence the witnesses, specially the complainant.

4. This Court cannot shut its eyes to immediate societal concerns. The ecosystem of gangsters mushrooming in the State of Punjab must be dealt with an iron hand and these elements do not deserve any lenient treatment from the Court as only then, can the citizens live a fulfilling life and contribute to the growth of the nation. It is the primary duty of the State to ensure security of all its citizens and create an atmosphere free of violence and instability, so they do not live in a constant state of fear and harm. The infestation of gang culture in Punjab is actively promoting disharmony by inflicting violence and enabling drug abuse. It is imperative that law enforcement is strengthened and this disruptive culture eroding the social fabric is dealt with sternly.

5. In view of the aforementioned submissions made by learned State counsel and keeping in view the gravity of offences allegedly committed by the petitioner, this Court is not inclined to grant him the concession of bail. In view thereof, the present petition stands dismissed.

6. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

31.01.2024

*Ajay Goswami***(HARPREET SINGH BRAR)****JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No