



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

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**CRM-M-46012-2024
Date of decision: 01.05.2025**

Gagandeep Singh @ Gagan JudgePetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vikram Satpal Anand, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J.

1. The petitioner in the instant (second) petition is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.4 dated 12.03.2020 under Sections 307/382/384/392/411/467/468/471 of the IPC and Sections 25/54/59 of the Arms Act, Sub Clause Section 25 of the Arms Act and Sections 6, 7 and 8, 15, 17, 18, 18(b) of Unlawful Activities, registered at Police Station Special Operation Cell, SAS Nagar Mohali.

2. Reply by way of affidavit of Ucee Chawla, PPS, Deputy Superintendent of Police, Anti Gangster Task Force, Punjab, has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

3. Learned counsel for the petitioner contends that the petitioner has been in custody since 12.03.2020 and that despite



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framing of charges on 05.12.2023, only 02 witnesses out of 36 have been examined till date. It is argued that the delay in trial and the prolonged custody period entitled the petitioner to be released on bail, particularly since he has been falsely implicated in the present case.

4. *Per contra*, learned State counsel, on instructions, while not disputing the custody period of the petitioner or the stage of trial, has drawn attention of the Court to the gravity of allegations against the petitioner. It is submitted that the petitioner has been booked in as many as 27 criminal cases of a grave and heinous nature, including offences under the Arms Act and IPC; he is also involved in anti-national activities. It has been further submitted that the petitioner is a habitual offender who is part of a larger criminal syndicate and that in the present case, he even fired upon a police party while trying to evade arrest.

5. Learned State counsel has drawn the attention of this Court to the affidavit filed and submitted that the following recoveries were effected from the petitioner:-

“RECOVERIES EFFECTED FROM THE PETITIONER

- V. *That during a personal search of Gagandeep Singh @ Judge (petitioner), a .30 bore pistol with a magazine containing 9 rounds, along with one live round of 7.62 MM in the chamber of the pistol was recovered. A second magazine containing 10 rounds of 7.62 MM, two pouches-one containing 20 rounds of 7.62 MM and the other containing 10 rounds of 7.62 MM, along with Rs. 120 in currency notes and a steel mortise lock key were also recovered from the pockets of his trousers.*
- VI. *That from the search of Hyundai i20 car of the petitioner, bearing registration No. PB-46-R-6147, engine No. 628955, and chassis No.*



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*MALBB51BLBM277813*B, the following recoveries were effected:-*

- (i) Rs. 33.60 lac in cash,*
- (ii) five sharp-edged weapons,*
- (iii) one steel rod,*
- (iv) one shutter cutter,*
- (v) one Jio dongle,*
- (vi) three walkie-talkie sets (with batteries), brand VERTEL,*
- (vii) two fake number plates,*
- (viii) one fake driving license (No. PB0220140260479),*
- (ix) one fake R/C for Hyundai i20 bearing registration No. PB-46-R-6147,*
- (x) 12 ropes*
- (xi) eight gloves,*
- (xii) three face masks.*

All the recoveries effected from the petitioner and his aforesaid car were taken into police possession, in accordance with law.

VIII. That in pursuance to the abovesaid disclosure statement, the petitioner got recovered the following items from Flat No. 635 D, Penta Homes, VIP Road, Zirakpur:

- (i) a jewellery stone piece and thread weighing approximately 1 kg 548 gms,*
- (ii) one gold melting machine,*
- (iii) one temperature controller,*
- (iv) one iron chimta,*
- (v) some utensils,*
- (vi) one rifle .30-06 bore with 187 live cartridges of the same calibre,*
- (vii) one rifle.12 bore pump action with 93 live cartridges of the same calibre,*
- (viii) two rifles. 12 bore DBBL,*
- (ix) four magazines for .32 bore,*
- (x) two magazines for .45 bore,*



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- (xi) *two magazines for .30 bore,*
- (xii) *two black colour butt rifles,*
- (xiii) *one steel butt rifle,*
- (xiv) *68 pencil rounds,*
- (xv) *25 rounds of .45 bore,*
- (xvi) *9 rounds of .42 bore,*
- (xvii) *9 rounds of .315 bore,*
- (xviii) *24 rounds for a .32 bore revolver,*
- (xix) *19 rounds for a .32 bore pistol,*
- (xx) *70 empty rounds of .30-06 bore,*
- (xxi) *one wireless set with battery, three chargers and charging leads.”*

6. In addition, it has been submitted that the petitioner is linked to a gang committing crimes such as armed robbery at financial institutions, kidnapping for ransom, and procurement of illegal arms, all of which are alleged to have been done at the behest of foreign-based handlers.

7. It has also been highlighted, on instructions, that the slow pace of trial is not solely attributable to the prosecution, but is compounded by the fact that the petitioner has to be produced before multiple Courts in connection with his various criminal cases, thereby causing logistical challenges.

8. Learned State counsel has submitted, on instructions, that no doubt in some of the other criminal cases registered against the petitioner, he has been acquitted, however, in some of those cases the witnesses had turned hostile; in case the petitioner is enlarged on bail, keeping in view his criminal antecedents, there is a genuine apprehension that he would either abscond or intimidate/influence the



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witnesses.

9. I have heard learned counsel for the parties and perused the relevant material on record.

10. *Prima facie*, there are serious and specific allegations against the petitioner. His role as an alleged habitual offender with transnational criminal connections, along with his conduct during arrest and the recoveries made, disqualify him from being extended the concession of bail. The apprehension of the petitioner influencing or threatening witnesses is also not unfounded given the past history.

11. While no ground is made out for extending the concession of bail to the petitioner, his long custody period cannot be overlooked. The learned Trial Court, is therefore, directed to make earnest and expeditious efforts to conclude the trial at the earliest.

12. Accordingly, the instant petition is hereby dismissed.

13. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

01.05.2025

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

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