

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

**CRM-M No. 13516 of 2015 (O&M)
Date of decision: 27.07.2015**

Sunny and others Petitioners.

Versus

State of Punjab Respondent.

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present:- Mr. Ashok Giri, Advocate, for the petitioners.

Mr. K.S. Pannu, DAG, Punjab, for the respondent.

Mr. Vishal Gupta, Advocate, for the complainant.

NAVITA SINGH, J. (ORAL)

This petition has been moved by the petitioners under Section 438 of the Code of Criminal Procedure seeking anticipatory bail in case FIR No. 35 dated 16.04.2015, under Sections 336, 506, 148 read with Section 149 of the Indian Penal Code and 25 of the Arms Act of Police Station Mullanpur Garibdass, District SAS Nagar Mohali.

It is submitted on behalf of the petitioners that they have joined investigation. This fact is affirmed by the State counsel, on instructions from ASI Kashmira Singh of Police Station Mullanpur Garibdass, who is present in Court.

State counsel as also counsel for the complainant, however, submit that recovery of weapons, i.e. firearm and other weapons is to be made from the petitioners.

The petitioners were named in the FIR and the motive is also given regarding the grudge they had against the son of the complainant.

It is submitted on behalf of the complainant that the firearm used by one of the petitioners was the licenced weapon of Kewal Kumar, who is the father of petitioners Sunny and Ravinder Kumar @ Ravi.

Counsel for the petitioners submits that the son of the complainant is involved in many criminal cases.

That, however, would not give any licence to the petitioners to attack the son of the complainant or anybody else for that matter.

In view of the specific allegations levelled against the petitioners in the FIR and the fact that the custody of the petitioners is required for the recovery of weapons, the present petition deserves dismissal.

Dismissed.

(NAVITA SINGH)
JUDGE

27.07.2015
Ramesh