

Crl. Misc. No.M-19884 of 2015

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

**Crl. Misc. No.M-19884 of 2015
Date of decision:16.06.2015**

Ramandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Akshay Kumar Goel, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The petitioner has prayed for grant of pre-arrest bail under Section 438 of the Code of Criminal Procedure, 1973, in a case registered vide FIR No.9 dated 19.03.2015, under Sections 364, 342, 323, 506, 148, 149 and 25, 27, 54, 59 of the Arms Act, 1959, at Police Station Smalsar, District Moga.

The allegation against the petitioner is that he was armed with a pistol by which he had threatened the complainant and also hit on his head with it.

Counsel for the petitioner has submitted that the petitioner was not named in the FIR but it has been found that the person called as Mintu is the petitioner and, therefore, the learned Court below dismissed the pre-arrest bail application of the petitioner.

The petitioner did not deny this fact that he is not called by the

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nick name as Mintu which fact is sufficient to dismiss the present petition as the presence of the petitioner at the time of occurrence and the allegation against him that he was armed with a pistol which was used from the backside while hitting the complainant on his head dis-entitles him for grant of pre-arrest bail as the matter requires his custodial interrogation.

In view thereof, I do not find any merit in the present petition and hence, the same is hereby dismissed.

June 16, 2015
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(Rakesh Kumar Jain)
Judge