

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-20578 of 2015 (O&M)
Date of Decision: 10.07.2015

Varinder Kumar

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:-HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. C.M. Munjal, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J

The instant petition has been filed under Section 439 Cr.P.C praying for grant of regular bail to the petitioner in case F.I.R. No. 42 dated 15.3.2015 under Sections 25, 54, 59 of Arms Act, registered at Police Station, Guruharsahai, District Ferozepur.

Counsel for the parties have been heard.

Perusal of the F.I.R would reveal that the same was registered on the basis of secret information and in relation to one Harbhajan Lal son of Lachman Dass running an arms and ammunition shop under the name and style of Bhajan Gun House at Mandi Guruharsahai. Allegations were that Harbhajan Lal was having a license for sale and purchase of licensed 12 bore guns and ammunition, whereas in his shop he had brought 32 bore and 315 bore arms and ammunition from different gun houses of Punjab and Haryana without any license.

Apparently, the name of the present petitioner did not even figure in the F.I.R. Petitioner has been implicated on the statement of accused Harbhajan Lal, who has revealed to the investigation authorities that the present petitioner is running a gun house under the name of Fauzi Gun House has sold 3000 cartridges of 12 bore gun about 10-15 days prior

to registration of the F.I.R.

Petitioner was arrested on 5.6.2015.

On a specific query having been put to learned State counsel, who is on instructions from ASI Mahender Singh, it stands conceded that Harbhajan Lal had not produced any bill or receipt to corroborate the statement and assertion on the basis of which the present petitioner has been implicated. It has also gone uncontroverted that main accused Harbhajan Lal has been granted ad interim protection as regards arrest by this Court in CRM No. M-15917 of 2015 vide order dated 25.5.2015.

In the totality of circumstances noticed herein above, petitioner is held entitled to the concession of bail. Present petition is, accordingly, allowed.

Petitioner be enlarged on bail subject to satisfaction of C.J.M., Ferozepur.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

10.07.2015

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