

CRM-M-24698-2015

[1]

In the High Court of Punjab and Haryana at Chandigarh.

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Date of Decision:18.09.2015

Pal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Balbir Singh Saini, Advocate,
for the petitioner.

Mr. R.P.S. Sidhu, AAG, Punjab.

SABINA, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in FIR No.201 dated 08.05.2010, under Sections 4 and 5 of Explosive Substances Act, 1908, Section 13 of Unlawful Activities (Prevention) Act, 1967 and Section 420 of Indian Penal Code, 1860, registered at Police Station Civil Lines, Amritsar.

Prosecution story, in brief, is that on 08.05.2010 from an abandoned Maruti car, one gas cylinder, one steel jug tied with plastic cord, one detonator connected with yellow

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wire, two 9 volt batteries and wire were recovered.

During investigation of the case Narain Singh @ Chuara co-accused of the petitioner has suffered a disclosure statement. On the basis of the same, petitioner was arrested in this case.

Learned counsel for the petitioner has submitted that petitioner was innocent and has been falsely involved in this case. Petitioner is not named in the FIR. In fact, other accused, who had faced trial have been acquitted by the trial Court.

Learned State counsel, on the other hand, has opposed the petition and has submitted that the petitioner is involved in other cases of similar nature.

Petitioner is in custody since 09.04.2013. A perusal of the custody certificate of the petitioner placed on record reveals that the petitioner has been convicted and sentenced to undergo 10 years of rigorous imprisonment in FIR No.24, dated 25.07.2010, under Section 25-1-A of Arms Act, 1959, Section 5 of Explosive Substance Act, 1908, Section 20 of Unlawful Activities (Prevention) Act, 1967 registered at Police Station Special State Operation Cell Amritsar. In some of the cases registered against the petitioner, he has been acquitted.

Keeping in view the fact that the petitioner is

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involved in other cases of similar nature and has also been convicted in one case, no ground for grant of bail to the petitioner is made out.

Dismissed.

September 18, 2015
kapil

(SABINA)
JUDGE