

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

CRM No. M-28722 of 2015.

Decided on: 9.12.2015.

Harpreet Singh @ Pintu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. B.S. Sewak, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

JITENDRA CHAUHAN.J.(ORAL)

By filing this petition under Section 439 Cr.P.C., the petitioner seeks regular bail in case FIR No.91 dated 23.4.2011 under Section 25 of Arms Act, 1959 registered at Police Station Aadampur, District Jalandhar.

The brief facts of the case are that the present FIR was registered against unknown persons under Section 25 of Arms Act. The petitioner was in custody in FIR No.102 dated 02.08.2014, under Sections 17, 18 and 20 of Unlawful Activities Act (Prevention), 1967, 153-A, 120-B, 121-A IPC and 25 of Arms Act registered at Police Station Bhogpur, District Jalandhar Rural. On the basis of confessional statement made during the investigation, the recovery of the case property in the present case i.e. one AK 47, 30 live cartridges, one US Carbine magazine and 17 live cartridges has been shown to be effected

from the petitioner.

Learned counsel for the petitioner contends that the name of the petitioner does not figure in the FIR. He has been arrested in the present case in pursuance to confessional statement recorded in another FIR No. 102 dated 2.08.2014. He further contends that there is no legal evidence to connect the present petitioner with the alleged recovered articles.

Keeping in view the fact that the name of the petitioner does not figure in the present FIR, the FIR was registered on the basis of secret information on 23.4.2011. The challan stands presented. The impact of the confessional statement on the basis of which the recovery in the present case has been attributed to the petitioner shall be determined by the trial Court. The petitioner is a young man of 35 years of age and sole bread earner of the family. He is in custody since 21.08.2014. The charges have been framed and out of 11 PWs, the examination-in-chief of only one witness has been recorded. The trial is not likely to be concluded in near future. This court is of the opinion that it is a fit case to grant concession of bail to the petitioner. Consequently, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing heavy bail bonds and surety bonds to the satisfaction of trial Court.

9.12.2015.
SN

(JITENDRA CHAUHAN)
JUDGE