

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

**Crl. Misc. No. M-30190 of 2015
Date of decision: - 21.09.2015**

Gursewak Singh and others

...Petitioners

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. S.P.S. Sidhu, Advocate,
for the petitioner.

Mr. Varun Sharma, A.A.G., Punjab,
for the State.

SHEKHER DHAWAN, J.

Petitioners have filed present petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.216 dated 18.08.2015, under Sections 295-A, 452, 506, 148 and 149 IPC, registered at Police Station Sadar Ferozepur, District Ferozepur.

2. Learned counsel for the petitioners mainly submitted that alleged occurrence had taken place on 12.08.2015, whereas the matter was reported to the police after six days of the occurrence and the delay remained unexplained. There are no allegations under Section 295-A IPC, even if entire version was taken into consideration at its face value. Learned

counsel for petitioners submitted that the petitioners are ready and willing to join the investigation. So, they be released on anticipatory bail.

3. Learned State counsel submitted that petitioners had committed a heinous crime and they were armed with deadly weapons, as is evident from CCTV footage. They made entry in the religious place with fire arms thereby disturbing the entire atmosphere of religious place. They were required for custodial investigation and recovery of weapons still to be effected. So, the present application of anticipatory bail be dismissed.

4. Having considered the submissions made by learned counsel for the parties, it is a case where custodial investigation is required to effect the recovery of weapons. More so, the allegations against the petitioners are of serious nature and if anticipatory bail in such like case is granted, there will be no law and order in the society. Therefore, the present petition for anticipatory bail is without any merit and stands dismissed.

September 21, 2015

naresh.k

(SHEKHER DHAWAN)

Judge