

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

CRM-M-39426 of 2015

Date of Decision: December 21, 2015

Deepu Singh @ Deepinder Singh and another ...Petitioners

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. H.S. Brar, Advocate
for the petitioners.

Mr. C.S. Brar, DAG, Punjab

FATEH DEEP SINGH, J.

This is a petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No.140 dated 02.09.2015 under Sections 452, 323, 506, 427, 148, 149 IPC (Section 307 later on added) and Sections 25, 54, 59 of Arms Act registered at Police Station Dehlon, Ludhiana City.

The allegations against the petitioners-Deepu Singh @ Deepinder Singh and Aparpal Singh are that on 2.9.2015 the petitioners along with their co-accused/non-applicant have trespassed into the house of the complainant Updesh Singh and have fired hitting a wall and the bed leading to registration of the present case.

It is contended on behalf of the petitioners that it is a non-injury case and that the alleged weapon which is armed weapon of petitioner Aparpal Singh, as per Annexure P/4 way

back in the month of April, 2015 lying deposited in the Malkhana of Police Station, Dehlon, Ludhiana for renewal purpose.

In view thereof and keeping in view that applicability of Section 307 IPC is debatable one and since nothing is to be recovered from the petitioners and that joining investigation would suffice the purpose, the present petition seeking anticipatory bail is allowed. In the event of arrest of the petitioners they be admitted to bail to the satisfaction of the arresting officer/Investigating Officer and that they shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

(FATEH DEEP SINGH)
JUDGE

December 21, 2015
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