

**CRM-M-44405-2014 (O&M)**

**(1)**

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

**CRM-M-44405-2014 (O&M)**

**Date of Decision: February 20, 2015**

Amandeep Kumar @ Deepa

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI**

Present: Ms.Gurvir Kaur Gill, Advocate  
for the petitioner.

Mr.Shilesh Gupta, Addl.A.G.Punjab.

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**Naresh Kumar Sanghi, J.(Oral)**

Prayer in this petition, filed under Section 439, Cr.P.C.,  
is for grant of regular bail to the petitioner, Amandeep Kumar @  
Deepa, who has been booked for having committed the offences  
punishable under Sections 399, 402 and 413, IPC, and Sections  
25 and 27 of the Arms Act, in a case arising out of FIR No.146,  
dated 26.08.2014, registered at Police Station, Ghall Khurd,  
District Ferozepur.

Learned counsel contends that concededly the  
petitioner was not arrested from the spot and after coming to  
know that the present case had been registered against him, the

petitioner surrendered before the learned Area Judicial Magistrate on 25.09.2014 and since then he is behind the bars. Concededly no fire-arm attracting the provisions of Sections 25 and 27 of the Arms Act was recovered from the petitioner. The applicability of Sections 399 and 402, IPC, would be a moot point during the course of trial. She also contends that the petitioner is not involved in multiple cases, therefore, ingredients of Section 413, IPC, would not be applicable qua the petitioner.

Learned counsel for the State, on instructions from HC Kulwant Singh of Police Station, Ghall Khurd, very fairly concedes that except one case of theft, no other case is pending against the petitioner; the petitioner was not arrested from the spot and no fire-arm within the meaning of Arms Act was recovered from the petitioner. He also concedes that the petitioner has himself surrendered before the Area Judicial Magistrate on 25.09.2014 and since then he is behind the bars.

After hearing the rival contentions of the learned counsel for the parties, the present petition is allowed. Petitioner-Amandeep Kumar @ Deepa son of Harmesh Lal, Chumiar, resident of Chhina Farm, Talwandi Bhai, PS Ghall Khurd, Tehsil and District Ferozepur, is ordered to be released

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on bail during pendency of the trial of the present case subject to his furnishing bond in the sum of ₹75,000/- (Rupees Seventy-five thousand only) with two sureties in the like amount to the satisfaction of the learned Chief Judicial Magistrate/ Duty Magistrate, Ferozepur.

**February 20, 2015**  
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**(NARESH KUMAR SANGHI)**  
**JUDGE**