

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

(118)

CRM-M-3355-2016

Decided on: March 03, 2016.

Ranjit Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Vikram Chaudhary, Sr. Advocate, with
Ms. Isha Goyal, Advocate, for the petitioner.

Ms. Harpreet Kaur Athwal, DAG, Punjab.

M.M.S. BEDI, J (ORAL)

This order will dispose of an application for grant of bail in FIR No.67 dated 13.07.2015, under Sections 307, 472, 148, 149 IPC, Sections 25, 54, 59 of the Arms Act and Sections 21, 27-A, 29, 61, 85 of the NDPS Act registered at Police Station Kathu Nangal, Amritsar.

The said FIR was registered at the instance of Inspector Ranbir Singh alleging that the police had received a secret information on the basis of which two Swift cars with 6-7 persons traveling therein were chased. All the persons escaped whereas one Jagdeep Singh @ Jaggu was caught. He made a disclosure statement that 315 bore pistol and 100 grams of heroin had been procured by him from the petitioner. The disclosure statement was made on 27.07.2015 when the petitioner was already in custody in two FIRs in which he has now been granted concession of bail.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the police file.

Perusal of the police file indicates that the petitioner was involved in the case while he was in custody in another case on the basis of disclosure statement of co-accused made on 27.07.2015 when the co-accused in this case had already been challaned.

I have seen the disclosure statement of Jagdeep Singh @ Jaggu which is to the effect that one year prior to his disclosure statement, he had been supplied a pistol and 100 grams of heroin by the petitioner.

Since it is a case of no recovery from the petitioner and he has not been accused of being in possession of any contraband, it will be debatable whether the said act would constitute abetment of the crime which was allegedly committed by his co-accused.

Since the petitioner was arrested on 21.07.2015 while in custody in another case, he can be granted concession of bail.

Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

(M.M.S. BEDI)
JUDGE

March 03, 2016
harsha