

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

**CRM-M No.35998 of 2016**  
Date of decision: 9<sup>th</sup> November, 2016

Jaswant Singh

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**

Present: Mr. S.S. Brar, Advocate for the petitioner.

Mr. Jasjeet Dhaliwal, Dy. Advocate General, Punjab  
for the respondent/State.

**FATEH DEEP SINGH, J. (ORAL)**

Allegations against the petitioner Jaswant Singh in this petition filed under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No.31 dated 14.04.2016 registered at Police Station Barnala under Sections 399, 402 IPC and Section 25/30 of the Arms Act, are that on 14.04.2016 on the basis of secret information present case was got registered.

Contentions of the learned counsel for the petitioner are that the petitioner is neither named in the FIR nor anything has been recovered from him and the only semblance of evidence against him is the statement of co-accused/non-applicant Chamkaur Singh from whom licenced weapon, a 12 bore DBBL gun has been recovered.

The factual aspect is not refuted by learned State counsel though he has stoutly opposed grant of bail to the petitioner.

Keeping in view the legality and acceptability of the evidence and that nothing is to be recovered from the petitioner and culpability if any shall be determined at the time of trial impels this Court to allow the prayer made. Accordingly, in the event of arrest, petitioner is ordered to be released on bail to the satisfaction of the Arresting Officer till submission of report under Section 173 Cr.P.C. (challan). He shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

**(FATEH DEEP SINGH)**  
**JUDGE**

**November 9, 2016**

*rps*

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |