

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

CRM No. M-44102 of 2016

DECIDED ON: DECEMBER 14, 2016

RASHPAL SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE JUSTICE JASPAL SINGH

Present: Mr. Simranjit Singh, Advocate
for the petitioner.

Mr. RPS Sidhu, AAG, Punjab.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Section 439 Cr.P.C., petitioner has sought bail in case bearing FIR No. 5, dated 10.08.2016, under Sections 17, 18 and 20 of Unlawful Activities Prevention Act and Section 25 of Arms Act, registered at Police Station Special Operation Cell, Amritsar.

Learned counsel for the petitioner submits that petitioner has nothing to do with the unlawful activities and he has been falsely implicated in the instant case. He has no connection or concern with the alleged militant Jagdish Bhura or any other person. The arms and ammunitions have been planted by the police upon the petitioner for the reasons best known to it. Petitioner is suffering incarceration since 11.08.2016. Investigation is still in progress. Petitioner is ready to abide by all the terms and conditions imposed by this Court in case he is granted the concession of bail.

Instant petition has been resisted by learned State counsel submitting that the petitioner is engaged in unlawful activities and has got connection with various militants including Jagdish Bhura, who are trying to revive the militancy in Punjab. He further submits that petitioner has got recovered number of illegal arms and ammunition, which are otherwise of prohibited nature. Thus, he does not deserve the concession of bail.

This Court has given an anxious thought to the rival submissions made by learned counsel for the parties and have perused the record available on file.

No doubt the FIR has been registered on the basis of a secret information but immediately after the arrest of the petitioner when he was subjected to custodial interrogation, he suffered disclosure statement in pursuance of which he got recovered 3 pistols of .32 bore alongwith magazines and 15 live cartridges of the same bore. There is also an allegation that petitioner and his associates had received huge consignment of arms with a view to commit terrorist activities. At this stage, nothing can be opined that the petitioner has been falsely implicated in this case. Otherwise also, it is a matter of evidence to be produced before learned trial Court.

Taking into consideration the seriousness and gravity of offence complained of, this Court finds that no case is made out for grant of bail to the petitioner.

Dismissed.

DECEMBER 14, 2016
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>