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

CRM-M-16376 of 2017

Date of decision: August 10, 2017

Pankaj Sehdev

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mrs. Manjari Joshi, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG Punjab.

A.B. CHAUDHARI, J (Oral)

Status report by way of affidavit of Sameer Verma, PPS, Assistant Commissioner of Police (Model Town), Jalandhar, filed by learned State counsel today in Court, is taken on record.

Heard learned counsel for the rival parties.

Petitioner seeks grant of regular bail in FIR No.12 dated 22.01.2017, under Sections 307, 34 of Indian Penal Code, 1860 read with Sections 25/27/54/59 of Arms Act, 1959, registered at Police Station Division No.7, Jalandhar. The petitioner was arrested on 23.01.2017.

Learned State counsel, on instructions from the police official, states that there is one more case FIR against the petitioner.

Learned counsel for the petitioner submits that the petitioner has been acquitted in the said FIR case.

The trial Court has recorded following observations about the petitioner in Para 3 of its order dated 29.04.2017:-

“xxxx. No doubt, no injury has been attributed to applicant/accused and he has been in judicial custody since 26.01.2017, but since applicant/accused connived with his co-accused to commit the said offence and a country made pistol of 0.315 bore along with 2 live cartridges of 0.315 bore from the possession of applicant/accused was recovered from possession of applicant/accused on the basis of his disclosure statement, therefore, I do not find any justification to grant concession of bail to applicant/accused at this stage of the case by keeping in view the gravity of offence. xxxx.”

In the light of the role attributed to the petitioner, I am inclined to grant bail to the petitioner.

In that view of the matter, this petition is allowed. Petitioner shall be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall file undertaking before the trial Court that he will not indulge in similar or any other kind of offence in future. Petitioner shall attend the police station concerned on every Monday, Wednesday and Sunday between 11:00 AM to 4:00 PM every week. Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well.

(A.B. CHAUDHARI)
JUDGE

August 10, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No