

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

1. CRM-M No.17186 of 2017

Baldev Singh @ Debi and another

... Petitioners

Versus

State of Punjab

... Respondent

2. CRM-M No.17665 of 2017

Navjot Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

Date of decision: 2nd June, 2017

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Kamaldip S. Sidhu, Advocate for the petitioners.

Mr. J.S. Brar, Asstt. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Since these two regular bail applications under Section 439 Cr.P.C., one by petitioners Baldev Singh alias Debi and Simranjit Singh alias Gaggi and the other by petitioners Navjot Singh and Gurjeet Singh alias Jeet, have arisen out of the same very FIR bearing No.04 dated 22.02.2017 under Sections 399/402/120-B/307 IPC and Sections 25/27/54 of the Arms Act pertaining to Police Station SSOC, Amritsar, are thus being disposed off together.

Allegations against the petitioners are that on 22.02.2017 while police party on the basis of secret information had laid naka on Beas bridge, the accused were seen coming from the opposite side and an encounter ensued leading to registration of the present case whereby petitioners were arrested at the spot leading to recovery of licensed weapons including one .315 bore rifle, one .32 bore revolver and one air gun.

Contentions of learned counsel for the petitioners Mr.Kamaldip Singh Sidhu, Advocate are that the very provisions of Sections 399/402/120-B IPC on the bare perusal of the FIR are not made out and that this is a non-injury case and the petitioners have no previous history of any crime.

Learned State counsel has sought to oppose grant of bail to the petitioners with much force and vehemence on the grounds that the petitioners are vagabonds and they are continuous threat to the society.

Appreciating the submissions, petitioners are admittedly in custody since more than three months and the prima facie allegations do not associate them with any similar history of crime. Culpability if any shall be determined at the time of trial, which will take long time to conclude. Thus, this Court is of the opinion that further detention of the petitioners in the present case is unwarranted. Accordingly, they are

ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Amritsar.

Both the petitions stand disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

June 2, 2017
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No