

322

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

CRM-M-2475 of 2016

Date of decision: August 08, 2017

Rajwinder Singh @ Raj

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. R.S. Rai, Senior Advocate with
Mr. Dilpreet Singh, Advocate for the petitioner.

Ms. Samina Dhir, DAG Punjab.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner seeks grant of regular bail in FIR No.102 dated 10.10.2015, under Sections 302, 34 of Indian Penal Code, 1860 and Sections 27, 25, 54, 59(1-aa) of Arms Act, 1959, registered at Police Station Phase No.8, District SAS Nagar Mohali.

The petitioner was arrested on 25.10.2015. Upon perusal of the FIR as well as impugned order, it appears that only role attributed to the petitioner is that he had supplied weapon to the deceased and thereafter, the said weapon was utilised by the main accused in which the deceased was shot. The trial is on.

Learned State counsel submits that beyond this, there is no other allegation against the petitioner. She further submits and that I have also seen in Para 4 of the impugned order that the petitioner is

facing large number of prosecution. However, in view of judgment of Hon'ble Supreme Court in the case of **Maulana Mohd. Amir Rashadi versus State of U.P. And another**, 2012 (1) R.C.R. (Criminal) 586, and looking to the fact that there is no offence against the present 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 not tamper, influence and threaten the prosecution witnesses and complainant as well.

(A.B. CHAUDHARI)
JUDGE

August 08, 2017
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No