

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

**Crl. Misc. No.M-27330 of 2017 (O&M)
Date of Decision: August 04, 2017.**

Bhagwan Singh

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Amandeep Singh Nirmaan, Advocate
for the petitioner (s).

Mr. Ajay Pal Singh Gill, D.A.G. Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 278 dated 03.06.2017 registered for the offences punishable under Sections 420, 468 of Indian Penal Code and 25, 27 of Arms Act, at Police Station Civil Lines, Amritsar.

Heard.

Notice of motion.

On asking of the court, Mr. Ajay Pal Singh Gill, DAG, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

The allegation against the petitioner is that he was found in

possession of a .32 bore pistol along with live cartridges without any valid licence. On the licence which was genuinely issued, he had fabricated the renewal after expiry of period of licence. The petitioner was arrested in this case on 03.06.2017 and is in judicial custody since then. The case is triable by Magistrate and is based on documentary evidence.

Without expressing any opinion on merits of the case and keeping in view the fact that the trial will take considerable long time, the present petition is allowed. Petitioner Bhagwan Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Illaq/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- c. He shall not leave the country without the prior permission of the Court.

August 04, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No