

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

216

CRM-M-36443 of 2017

Decided on : 04.10.2017

Devinder Singh @ Bindri

... Petitioner

Versus

State of Punjab

.. Respondents

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

Present : Mr.Amit Kumar Walia, Advocate
for the petitioner.

Mr.Ramandeep Sandhu, Sr.DAG, Punjab.

A.B. Chaudhari, J. (Oral)

The petitioner has filed this petition under Section 439 Cr.P.C. seeking regular bail in FIR No.191, dated 26.11.2016 under Sections 399/402 of the Indian Penal Code and Section 25/27 of Arms Act (section 29 of the Arms Act added later on), registered at Police Station Sadar Jagraon, District Ludhiana

Heard learned counsel for the rival parties.

Pursuant to the secret information, the FIR was registered and thereafter raid was conducted. According to the prosecution, the other persons as well as the petitioner were found with rifles and, therefore, there is a reason to believe that the petitioner was also the person who had designed to commit robbery by use of the weapon.

Learned counsel for the petitioner submits that the only allegation levelled against the petitioner is that he was member of the gang and one of the co-accused has been granted bail by this Court vide order dated 7.7.2017 in case CRM-M-6407 of 2017 and two other

co-accused have been granted bail by the Additional Sessions Judge,

Ludhiana vide orders dated 13.6.2017 and 14.6.2017. The petitioner is in custody since 26.11.2016.

Learned State counsel submits that there is no other case of similar nature against the petitioner except two cases as mentioned in the custody certificate filed in the Court, today.

Be that as it may. Since the evidence of the prosecution has been seen by me, the petitioner would be entitled to grant of bail. However, the petitioner to file undertaking not to indulge in such types of offences again and submit a copy thereof before the trial Court and the police station concerned.

In the result, I make the following order:

ORDER

- (i) CRL. MISC. No.M-36443 of 2017 is allowed.
- (ii) Bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner shall give undertaking to the police station concerned as aforesaid within a period of two weeks from the date of release that he will not indulge in such type of offence in future.
- (iv) In case of violation of the above condition on the part of the petitioner, the liberty is reserved in favour of the State to apply for cancellation of bail.

[A.B. Chaudhari]
Judge

04.10.2017
sd

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No