

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

CRL. MISC. No.M-38959 OF 2017
DATE OF DECISION : 31st OCTOBER, 2017

Harjinder Singh @ Jinder & another

.... Petitioners

Versus

State of Punjab

.... Respondent

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

* * * *

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

Mr. Ramandeep Sandhu, Sr. D.A.G. Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioners have filed this petition under Section 439 Cr.P.C. seeking regular bail in FIR No.191, dated 26.11.2016 registered 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 petitioners were found with rifles and, therefore, there is a reason to believe that the petitioners were also the persons who had designed to commit robbery by use of the weapon.

Learned counsel for the petitioners submits that the only allegation levelled against the petitioners is that they were member of the

gang and one of the co-accused has been granted bail by this Court vide order dated 07.07.2017 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 13.06.2017 and 14.6.2017. The petitioners are in custody since 26.11.2016.

Learned State counsel submits that there is no other case of similar nature against the petitioners.

Be that as it may. Since the evidence of the prosecution has been seen by me, the petitioners would be entitled to grant of bail. However, the petitioners to file undertaking not to indulge in such types of offence 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-38959 OF 2017 is allowed.
- (ii) Bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioners shall give undertaking to the police station concerned as aforesaid within a period of two weeks from the date of release that they will not indulge in such type of offence in future.
- (iv) The petitioners to surrender their passport with the trial Court, if they possess the same.
- (v) The petitioners shall report to the police station concerned on every Monday, Wednesday and Sunday from 11.00am to 4.00pm in addition to appearing before the trial Court on the dates fixed there.

(vi) In case of violation of the above condition on the part of the petitioners, the liberty is reserved in favour of the State to apply for cancellation of bail.

31st OCTOBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

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