

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

CRL. MISC. No.M-8112 OF 2016
DATE OF DECISION : 7th MARCH, 2017

Avdesh Sharma

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Mr. Daldeep Singh, Advocate for the petitioner.
 Ms. Rajni Gupta, Addl. A.G. Punjab.
 Mr. Sandeep Kumar, Advocate for
 Mr. Ishaan Pasricha, Advocate for the complainant.

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A. B. CHAUDHARI, J. (ORAL)

Heard learned counsel for the rival parties.

This court had made an order dated 10.03.2016 issuing *ad interim* order regarding anticipatory bail.

Learned State counsel submitted that the petitioner was not cooperating in the sense that though he joined the investigation but he did not deposited the revolver with the police. The proceedings were adjourned from time to time.

Today learned counsel for the petitioner submits that as a matter of fact the petitioner has deposited the revolver with the Gun House due to the Election Code which is in force in the State. He further submits that he would be entitled to get back his revolver from gun house after the code of conduct is over.

Looking to the nature of the offence alleged against the petitioner, the counsel for the petitioner vehemently states on instructions from his client that the petitioner would surrender the revolver to the police along with all cartridges and would not claim it back till the trial is completed in this FIR, nor he would apply for modification of this condition nor he will take his statement back.

In that view of the matter, the following order is passed:

ORDER

- (i) Interim order dated 10.03.2016 made by this court is made absolute, subject to the condition that the petitioner shall deposit the revolver with the police and shall not claim back till the disposal of the trial
- (ii) In no case the revolver shall be returned to the petitioner.
- (iii) In case of renewal of the licence the petitioner may apply.

7th March, 2017
‘raj’

(A. B. CHAUDHARI)
JUDGE