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

**CRM-M No.1038 of 2018
Date of Decision: 17.02.2018**

Gurpreet Singh @ Kali

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. J.S. Thakur, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.382 dated 31.10.2017 registered under Sections 395/392/379-B/482/454/457/380 IPC, Section 25 of the Arms Act and Section 22 of the NDPS Act at Police Station Phillaur, District Jalandhar (Rural).

Learned counsel for the petitioner submits that allegation of receiving stolen property is the subject matter of earlier FIR, in which petitioner is on bail. Offence under Section

482 IPC i.e. for using a false property mark is non-cognizable and bailable offence. The allegation in terms of Section 25 of the Arms Act is not related to the petitioner as his co-accused was found in illegal possession of the arms.

Learned State Counsel on instructions from Inspector Rajeev Kumar submits that in respect of narcotic substance, separate FIR No.385 dated 31.10.2017 under Section 22 of the NDPS Act at Police Station Phillaur has been registered. Challan has been presented for the offences under Sections 411, 482 IPC and Section 25 of the Arms Act.

In the present case, the complicity of the petitioner viz-a-viz the offences under Sections 411, 482 IPC and Section 25 of the Arms Act is to be considered. Evidently, offence under Section 482 IPC is the bailable offence. Allegations in respect of offence under Section 411 IPC are relatable to earlier FIR No.125 dated 24.08.2017 registered under Sections 453, 380 IPC at Police Station Lambra, District Jalandhar.

At this stage, without meaning anything on the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

It is made clear that nothing observed hereinabove

would have any effect in the complicity of the petitioner arising out of FIR No.385 dated 31.10.2017 registered under Section 22 of the NDPS Act at Police Station Phillaur, District Jalandhar.

February 17, 2018.

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No