

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

**CRM-M No.15443 of 2018
Date of Decision: 24.04.2018**

Jagjit Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

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

Present: Mr. Gurvinder S. Sandhu, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.193 dated 17.12.2016 registered under Sections 25, 57, 54, 59 of the Arms Act and Sections 10, 11, 13 of the Unlawful Activities (Prevention) Act 1967 (offence under Section 120-B IPC added later on) at Police Station Bagha Purana, District Moga.

As per allegations in the FIR, one Tarlok Singh @ Laddi was an accused of FIR No.51 dated 13.06.2016 registered under Sections 302/34 IPC and Sections 25/27/54/59 of the

Arms Act. Allegation against the petitioner is that weapon purchased by Tarlok Singh was with the money supplied by the petitioner after receiving the same from Glasgow (England) through Western Union. Allegations are that Jagtar Singh @ Jaggi and Taljit Singh @ Jimmi remitted an amount of Rs.1000 pond from UK to the petitioner, who in turn, gave the same to Tarlok Singh for purchase of weapon in order to eliminate some dera premi. Prosecution story is rested on the allegation that the amount was sent by Jagtar Singh @ Jaggi and Taljit Singh @ Jimmi and shown in the account of the petitioner.

Learned counsel for the petitioner submitted that in fact the aforesaid amount was sent by Virender Singh in the account of the petitioner. Virender Singh has not been arrayed as accused, nor as a prosecution witness. Confronted with this situation, receipt of Rs.89,966/- in the account of the petitioner having sent by the aforesaid Virender Singh is an admitted fact.

Since Virender Singh is neither an accused, nor a prosecution witness, therefore, complicity of the petitioner in the context of allegations would remain debatable. Petitioner is in custody since 01.12.2017. Challan has not been filed despite the FIR having been registered on 17.12.2016.

At this stage, keeping in view the aforesaid facts and 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 Chief Judicial Magistrate/Duty Magistrate, Moga.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

April 24, 2018.
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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No