

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-17862-2018 (O&M)

Date of Decision: 03.05.2018

Sonu Sharma

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Nandan Jindal, Advocate for the petitioner.

Mr. S.S. Sandhu, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.301 dated 18.11.2017 under sections 399, 402, 473, 120-B I.P.C and sections 25, 54, 59 of Arms Act, registered at Police Station, City Rajpura, District Patiala.

Learned counsel for the parties have been heard.

Case of the prosecution is that a police party headed by ASI Ajaib Singh received secret information to the effect that the present petitioner along with co-accused are having arms and ammunition and are in the habit of indulging in robbing innocent people on gun point. Secret information was also to the effect that the accused persons including the petitioner are using vehicles affixed with fake registration number plates. Based on secret information a raid is stated to have been conducted in which the present petitioner along with co-accused Parminder Singh @ Tiger and Kulwinder Singh @ Kindi were apprehended.

Recovery from the present petitioner is stated to be a .315 bore pistol along with one live cartridge. Joint recovery from the accused

apprehended is stated to be of one Swift car with a fake registration plate.

Petitioner was arrested on 18.11.2017.

Investigation in the case is complete and the challan has been presented. Charges are yet to be framed. Trial would take time to conclude.

Learned State counsel upon instructions from ASI Ajay Kumar concedes that petitioner is not involved in any other FIR of similar allegations.

Even though, petitioner was involved in an FIR under section 302 I.P.C but in the trial that ensued, petitioner has earned acquittal vide judgement dated 30.9.2016 passed by learned Additional Sessions Judge, Ludhiana (Annexure P-3).

Without making any observations on merits and keeping in view the length of incarceration already suffered by the petitioner, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate concerned.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

03.05.2018

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