

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

CRM-M-18825-2018 (O&M)

Date of Decision:-2.7.2018

Tejbir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Dheeraj Mahajan, Advocate for the petitioner.

Mr. A.S. Sandhu, Additional Advocate, General, Punjab.

GURVINDER SINGH GILL, J. (Oral)

Apprehending his detention, the present petition has been filed by the petitioner, who is juvenile, for his release on anticipatory bail.

The allegations, as per FIR in nutshell are that during checking of the Malkhana at Court Complex, Batala, it was found that one revolver of .32 bore along with 2 live cartridges recovered in FIR No.64 dated 27.12.2016 under Sections 302, 307, 148 and 149 of Indian Penal Code, 1860 and Section 25/54/59 of Arms Act registered at Police Station Qila Lal Singh and 1 pistol of 7.65 mm (10.32) No.RP217363 recovered in FIR No.27 dated 16.6.2016 under Sections 302, 307, 148 and 149 of Indian Penal Code, 1860 and Sections 25/54/49 of Arms Act registered at Police Station Qila Lal Singh and 1 country made pistol recovered in FIR No.17 dated 28.2.2016 under Section 25/54/59 of Arms Act registered at Police Station Sekhwan were missing. ASI, Surinderjit Singh, Incharge Moharar Malkhana, Court Complex, Batala, during his interrogation made a

disclosure statement that about 3-4 months back, he had handed over the keys of the store to his son Baljot Singh, who was accompanied by the present petitioner Tejbir Singh and Tejinder Singh so as to fetch some material from the store and that he suspects that the said three boys have stolen the arms from the store.

Notice of this application had been issued to the State and the petitioner Tejbir Singh had been ordered to be released on interim bail.

Mr. A.S. Sandhu, Additional Advocate, General, Punjab assisted by ASI Gursewak Singh has stated that the petitioner Tejbir Singh has since joined investigation.

In view of the fact that the petitioner is otherwise a juvenile and would also be entitled to be released consequent upon his detention or apprehension, in terms of provisions of Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and has already joined investigation, the present petition merits acceptance and is hereby accepted and the interim directions made by this Court vide order dated 4.5.2018 are hereby made absolute.

2.7.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No