IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-21554-2018 (O&M)
Date of decision: - 23.05.2018

Sandeep Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. H.S. Jalal, Advocate,
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana.

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MAHABIR SINGH SINDHU, J. (ORAL)

Present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.223 dated 02.05.2018, under Section 25 of the Arms Act, registered at Police Station City Fatehabad.

2. It is contended by learned counsel for the petitioner that neither the petitioner was apprehended at the spot; nor any recovery is to be effected from him and he is ready to join the investigation.

3. On the other hand, learned State counsel has opposed the bail application on the premise that .32 bore revolver along with six live cartridges was recovered from the possession of co-accused of

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the petitioner, namely, Gurdeep Singh @ Ghor in the Court premises of District Court, Fatehabad and the same was supplied to him by the petitioner.

4. Heard learned counsel for the parties and perused the paper-book.

5. Precisely, the accusation against the petitioner is that co-accused of the petitioner Gurdeep Singh was found in possession of a revolver along with six live cartridges loaded in the said revolver without any licence. It is further alleged that the said revolver was supplied to him by the petitioner.

6. In view of above factual position that co-accused was carrying .32 bore revolver, which undisputedly belongs to the present petitioner and taking into consideration the gravity of the offence, the petitioner is not entitled to concession of pre-arrest bail and his custodial interrogation is necessary, in order to ascertain his role and for bringing the true facts on record. Thus, this Court does not find any merit in the present petition and the same is hereby dismissed.

7. The above observations may not be construed as an expression of opinion on merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

May 23, 2018
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Whether reportable? Yes
Whether reasoned/speaking? Yes

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