

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

CRM-M-28161-2018 (O&M)

Date of Decision:-21.8.2018

Sheetal Angural

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Navkiran Singh, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

GURVINDER SINGH GILL, J. (Oral)

By way of filing this petition, the petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.139 dated 26.6.2018 under Sections 336, 201 and 188 of Indian Penal Code, 1860 and Sections 25, 27, 54 and 59 of Arms Act at Police Station Rama Mandi, District Jalandhar.

The FIR was lodged at the instance of one Varinder Kumar son of Dalip Chand, Caste Rajput, resident of Village Chandru Kalan, who has stated that he is working as a manager in a Marriage Palace and that on the day of occurrence, during the course of the marriage function, some police officials came to the Marriage Palace and stated that some gun-shot had been fired in the Marriage Place and in their presence, they watched the CCTV footage and upon watching the same, it was found that a Hindu young man aged about 40 years was seen picking up a revolver, which had fallen down

and he gave the same to his companions standing next to him in order to conceal the same. The said person was identified to be Sheetal Angural.

Notice of the present petition was issued to the State. Vide order dated 9.7.2018 the petitioner was granted interim bail and had been directed to join investigation.

The learned State counsel has opposed the present petition by stating that although the petitioner has joined investigation but the pistol allegedly used in the occurrence has not been recovered and that one pistol has, however, been recovered from the co-accused. The learned State counsel has further submitted that in fact the arms license issued to the petitioner had already expired and it remains unexplained as to how he was in possession of a weapon. The learned State counsel has further informed that the petitioner had earlier been involved in a large number of cases although he stands acquitted in majority of them.

Having heard the learned counsel for the petitioner and also the learned State counsel I find that it is not a case where anybody had been injured on account of alleged gun-shot or that the gun-shot allegedly had been fired with the intention of injuring anyone. I further find that during investigation it has been found that the petitioner had already sold his weapon in year 2017. In these circumstances, the fact that the arms license of the petitioner stood expired would not be of much significance especially when the petitioner is not owning any weapon and had already sold his weapon in the year 2017. Upon a query made by this Court, the learned Counsel for petitioner has stated that the petitioner does not own any weapon as of now.

In view of the aforesaid facts and circumstances, in my opinion, it is not a case warranting custodial interrogation. The petition, as such, is accepted and interim directions issued by this Court vide order dated 9.7.2018 are hereby made absolute subject to the condition that the petitioner shall appear before the Investigating Officer as and when directed.

The present petition stands disposed of accordingly.

21.8.2018

pankaj

(Gurvinder Singh Gill)
Judge

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