

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

CRM-M-31598- 2018

Date of Decision:01.10.2018

Amrinderbir Singh @ Karan

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. L.M. Gulati, Advocate
for the petitioner.

Mr. Luvinder Sofat, A.A.G. Punjab.

P.B. BAJANTHRI J. (Oral)

Petitioner has sought for regular bail under the provisions of Section 439 Cr.P.C in case FIR No.73 dated 10.03.2018 registered under Sections 379-B/506 IPC and Sections 25/54/59 of Arms Act (Section 25/54/59 of Arms Act added lateron) at Police Station “A” Division Amritsar, District Amritsar.

2. Learned counsel for the petitioner submitted that FIR in the present case is against unknown person. Name of the petitioner cropped up on the basis of disclosure statement of another accused. Insofar as recovery of pistol is concerned, the same is licenced one of his father. Therefore, police implicated him falsely in this case. Hence, he is entitled to regular bail.

3. On the other hand, learned State counsel submitted that petitioner is a habitual offender as is evident from para-5 where there are reference of three FIRs namely FIR No.72 dated 9.3.2018, FIR No.390 of 4.4.2014 and FIR No.325 of 9.9.2014. Similar is the record of co-accused of the petitioner in the present case. It is further submitted that in the present case challan has been filed.

4. Per contra, learned counsel for the petitioner submitted that FIR No.390 dated 4.4.2014 is incorrect as he is not involved in the said FIR. However, insofar as other FIRs are concerned, he has not disputed.

5. Heard learned counsel for the parties.

6. Perusal of the dates and events of the present FIR read with FIR No.72 dated 9.3.2018 so also offence relating to Sections 379-B/411 IPC and offence under Arms Act, in both the FIRs, it is evident that petitioner is a habitual offender, even though, challan has been filed. He is not entitled to bail at this stage.

6. Accordingly, petition stands dismissed.

01.10.2018
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**