

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

214

**CRM-M No.40855 of 2018.
Date of Decision: 15.01.2019.**

Dharminder Singh alias Pinku

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Ms. Satwant Mehta, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, Deputy Advocate General, Punjab.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code has been filed for grant of regular bail to the petitioner in case F.I.R. No.23 dated 17.04.2015 under Sections 307, 427, 506, 148, 149, 120-B of the Indian Penal Code (for short, 'IPC') read with Section 25 of the Arms Act, 1959, registered at Police Station Sadar Batala, District Gurdaspur (Police District Batala).

Learned counsel representing the petitioner contended that it is a case of no injury and only allegations against the present petitioner are regarding recovery of licenced weapon which was in the name of his father.

Learned State counsel, while opposing the prayer for bail, fairly conceded that the licenced weapon was used and fire were shot, but otherwise it is a case of no injury. Though section 307 IPC has been added. While opposing the prayer for bail, learned State counsel contended that the present petitioner was declared proclaimed offender twice and the petitioner does not deserve the concession of bail.

Taking all the facts into consideration and the fact that the main case is regarding no injury attracting provisions of Section 307 IPC and the petitioner is otherwise in custody since 18.04.2018, trial has not yet started as co-accused have not been arrested, decision of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bar any more, the present petition is allowed. The petitioner is ordered to be admitted on regular bail on furnishing adequate bail bonds with atleast **two local sureties** to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

15.01.2019

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No