

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

CRM-M-26424-2019

Date of decision: July 03, 2019

Swaranjit Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. C.S. Bakshi, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J.

Prayer made in the petition is for grant of anticipatory bail to the petitioner in case FIR No.58 dated 20.5.2019 registered under Sections 409, 201, 188, 120-B IPC and Section 27 of the Arms Act (Sections 420, 467, 468 IPC were added later on) at Police Station Division No.4, District Jalandhar.

Counsel for the petitioner has argued that as per the allegations in the FIR, on receiving the information about firing incident, the police found that one Manpreet Singh by using firearm has murdered one Seema Tiwari and, thereafter, he committed suicide by shooting himself using the same firearm weapon. During the investigation, the police found that the weapon belonged to Manjit Kaur and it was deposited in one Chacha Gun House. The owner of the said gun house was one Sandeep Singh, who, along with his family members had travelled abroad in the year 2016. It was found that the petitioner and his son were running the Chacha Gun House illegally and in conspiracy with aforesaid Manpreet Singh, they had handed over the said firearm, i.e. the licensed revolver of one Manjit Kaur to Manpreet

Singh, who committed the murder of Seema Tiwari and, thereafter, committed suicide.

Counsel for the petitioner has argued that, in fact, as per the allegations in the FIR when the police visited the premises of Chacha Gun House and met the son of the petitioner, namely, Swaranjit Singh at the spot and he was initially associated in the inquiry and, thereafter, both the petitioner as well as his son has been implicated in the present FIR. The counsel has further argued that there are no direct allegations against the petitioner, rather the allegations are against his son Bikramjit Singh.

In reply, the learned State counsel filed affidavit of Assistant Commissioner of Police, (Central), Jalandhar and on instructions from the Investigating Officer has submitted that during the investigation statement of one Munish Gulati was recorded under Section 161 Cr.P.C., who is running his business in the neighbourhood of Chacha Gun House and has stated that the owner of the said gun house Sandeep Singh had shifted abroad in the year 2016 and, thereafter, Bikramjit Singh and his son Swaranjit Singh were managing the said gun house. He has further stated that in the intervening period even son of the petitioner Swaranjit Singh travelled abroad and in his absence, the petitioner was looking after the business of Chacha Gun House and, therefore, the involvement of both the petitioner as well as his son in illegally handing over the lincensed weapon of one Manjit Kaur to Manpreet Singh is apparent and, thereafter, said Manpreet Singh committed the murder of a girl and, thereafter committed suicide.

Learned State counsel has, thus, argued that it is a case where the custodial interrogation of the petitioner is required.

Learned State counsel has further submitted that the anticipatory bail application, i.e. CRM-M-26436-2019 filed by the co-accused, namely, Bikramjit Singh, who is son of the petitioner, stands dismissed as withdrawn vide order dated 3.7.2019.

After hearing counsel for the parties, I find no ground to grant the anticipatory bail to the petitioner.

During the investigation, the police has collected sufficient evidence that the petitioner was actively managing the affairs of Chacha Gun House, despite the fact that its owner had travelled abroad and both, the petitioner and his son co-accused Bikramjit Singh were illegally running the said gun house. The police has also collected the evidence that both the accused, in conspiracy with Manpreet Singh delivered the licensed revolver of one Manjit Kaur (who has already died in the year 2017) and, therefore, knowingly they handed over this weapon to Manpreet Singh, who used the same in committing the murder of a girl and, thereafter committed suicide and, therefore looking into the serious allegations against the petitioner, his custodial interrogation is required.

Dismissed.

**(ARVIND SINGH SANGWAN)
JUDGE**

**July 03, 2019
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No