

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

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CRM-M No. 34886 of 2019 (O & M)

Date of decision : 29.11.2019

Harvinder Singh @ Bindu and another

.....Petitioners

Vs.

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. J.S. Lalli, Advocate, for the petitioners

Mr. Harbir Sandhu, AAG, Punjab

Mr. Yagyaang Ajay, Advocate, for

Mr. Kawaljyot Singh, Advocate, for the complainant

Rajbir Sehrawat, J. (Oral)

CRM No. 33368 of 2019 :

Learned counsel for the petitioners submits that the present application has been rendered infructuous and the same may be disposed of as such.

Disposed of as infructuous.

Main Case :

The present petition has been filed by the petitioners under Section 439 Cr.P.C for grant of bail pending trial in case FIR No. 59 dated 22.6.2019, registered under Sections 115 and 120B IPC and Sections 25 of Arms Act, 1959, at Police Station Lambra, District Jalandhar.

It is contended by learned counsel for the petitioners that the case against the petitioners is totally concocted. Even as per the case of the prosecution, the alleged offence was at the stage of preparation. No overt act is even alleged by the prosecution against the petitioners. Hence, for offence

under Arms Act, the petitioners are in custody since 25.6.2019. Challan has already been filed. Therefore, the petitioners are not required for any investigation purposes.

On the other hand, learned counsel for the State, being instructed by ASI Niranjana Singh, submits that the petitioners were planning a heinous crime. However, it is not disputed that the petitioners are in custody since 25.6.2019 and that challan has already been filed.

In view of the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioners are ordered to be released on bail pending trial subject to their furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

29.11.2019

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No