

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45831-2019
Date of decision-05.11.2019

Harcharan Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. V.S.Rana, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Harcharan Singh has filed this petition under Section 439 Cr.P.C read with Section 482 Cr.P.C for grant of interim bail for a period of one month in case FIR No.0090/2019 dated 31.05.2019 registered under Sections 17, 18, 18-B and 20 of Unlawful Activities (Prevention) Act, 1967, Section 25 of Arms Act, 1959 and Sections 3, 4 and 5 of Explosive Substances Act, 1908 at Police Station Gharinda, Amritsar, Punjab. The petitioner was arrested on 03.06.2019 in the above FIR.

The petition is founded on two grounds:-firstly wife of the petitioner is at the advanced stage of pregnancy and is likely to deliver the child around 21.10.2019, secondly, it is pleaded that after arrest of the petitioner, his father suffered depression and developed neurological problem and as a result of that, his lower part of the body is paralytic.

On 30.10.2019, learned State counsel was directed to verify the health status of the father of the petitioner.

Today, in response to the said order, a short reply by way of affidavit of Gurpartap Singh Sahota, PPS, Deputy Superintendent of Police, Sub Division Attari, Amritsar-Rural on behalf of respondent No.1-State has been filed wherein it is mentioned that ASI Angrej Singh visited the residential address of the petitioner and found that father of the petitioner, namely, Manmohan Singh is taking treatment from Dr. Sandeep Mittal, Medical Superintendent of Dashmesh Hospital, C-141, Shiv Nagar Extn, Jail Road, Tilak Nagar, New Delhi. The patient is not hospitalized and is taking treatment as an outdoor patient, who is on bed in his house. Apart from it, it is also mentioned that wife of the petitioner, namely, Silakpreet Kaur delivered the child on 18.10.2019 and is residing at her matrimonial home with the parents of the petitioner.

It is not disputed by learned counsel for the petitioner that both the ladies i.e. mother and wife of the petitioner are taking care of his ailing father at present. The background of the petitioner is also highlighted in the affidavit indicating his involvement in other cases as well. It is also not disputed by learned counsel for the petitioner that the petitioner is facing prosecution in two other cases i.e. FIR No.5 dated 30.05.2019 registered under Section 25 of Arms Act, Sections 3, 4 and 5 of Explosives Act, 1956 and Sections 17, 18, 18-B and 20 of Unlawful Activities Prevention Act, 1967 registered at Police Station SSOC, Amritsar and another FIR No.235 dated 14.05.2014 registered under Section 395 IPC and Section 25 Arms

Act, 1959 at Police Station DGB Road, New Delhi.

Considering the above background, and the facts and circumstances of the case, this Court does not find any valid reason to extend the concession of interim bail to the petitioner at this stage.

Petition is dismissed.

05.11.2019

vanita

(MANOJ BAJAJ)
JUDGE

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