

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

CRM-M-12081-2020 (O&M)

Date of Decision:-27.5.2020

Angrej

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amit Choudhary, Advocate for the petitioner.

Mr. Deepak Sabherwal, Additional A.G. Haryana.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J.

1. The petitioner seeks grant of anticipatory bail in a case registered against him vide FIR No.22 dated 13.1.2020 under Sections 399/402 IPC and Section 25 of Arms Act at Police Station Bhuna, District Fatehabad.
2. The case of the prosecution is that a secret information was received to the effect that five persons were planning to commit dacoity and were hiding in an old '*kotha*' situated in front of Bhuna Sugar Mill. Pursuant to the aforesaid information, a raid was conducted and five persons namely Sunil Kumar, Sagar, Ajay @ Kishori, Shaktiman @ Shakti and Ashok Kumar were apprehended at the spot. Sagar was found with a .315 bore country made pistol.

3. It is further the case of prosecution that upon interrogation, it was disclosed that the pistol of .315 bore was procured from the present petitioner.
4. The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that all the five persons in respect of whom where was secret information were apprehended at the spot and the petitioner at best can be said to have committed some offence under Arms Act only. It has been submitted that in any case the petitioner has been nominated solely on the basis of disclosure statement.
5. Opposing the petition, the learned State counsel has submitted that since the petitioner stands involved in five other cases, no special case for grant of anticipatory bail is made out.
6. Having considered rival submissions addressed before this Court and the fact that the petitioner was never arrested at the spot and that the five persons who were stated to be making preparation for committing a dacoity were all apprehended at the spot and that the petitioners is stated to be nominated only on the basis of disclosure statement to the effect that the weapon in question had been supplied to one of the accused by the petitioner, in my opinion, it is a fit case for grant of anticipatory bail.
7. The petition, as such, is accepted and it is ordered that the petitioner in the event of his arrest shall be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

8. It is, however, clarified that none of the observations made above shall be taken to be an expression on merits of the main case.

27.5.2020

kamal

(Gurvinder Singh Gill)

Judge

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