

CRM-M-18559-2020

DECIDED ON: JULY 30, 2020

SEWA SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Divjyot S. Sandhu, Advocate,
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

The present petition has been filed with the prayer for regular bail in case FIR No. 184, dated 12.12.2019, under Sections 307, 353, 379-B, 186, 332, 333, 148, 149, 120-B of the Indian Penal Code, 1860 and Section 22 of NDPS Act, 1985 and Section 25 of Arms Act, 1959 registered at Police Station Subhanpur, District Kapurthala.

The police on secret information raided the house of Harjinder Singh. It was alleged that Harjinder Singh alongwith his brother Mithu, Kulwinder Singh, Ranga, Manga, Khandi, Deepa, Pala, Ranjodh Singh @ Jodha, Sewa Singh (Petitioner), Kamaljit Kaur, Debo, Charan Kaur, Boota Singh, Satnam Singh, Sukhdev Singh, Tarsem Singh, Baldev Singh were there in the house. It was further alleged that 10 to 12 unknown persons also came at the spot and caused injuries to the police officials. The allegation is that Kulwinder Singh snatched the .9mm pistol from ASI

Onkar Sharma. On search one kg intoxicant powder and ₹13,50,260/- was

recovered and also the snatched pistol.

Learned counsel for the petitioner submits that there is recovery of eight injections from the petitioner and no specific role with regard to causing injuries to the police party has been attributed. He further submits that two co-accused namely Baldev Kaur and Kawaljit Kaur have already been granted the concession of anticipatory bail by this Court. It is contended that though an anticipatory bail was filed but before the anticipatory bail could be heard the petitioner was arrested.

Learned State counsel submits that FSL report is still awaited. However, he is not disputing the fact that even the eight injections recovered are below the prescribed commercial quantity.

Considering the facts of the case, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

JULY 30, 2020
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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*