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

CRM-M-22280-2020 (O&M)
Date of decision: 30.10.2020

Chainchal Athwal @ Kala and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rishu Mahajan, Advocate for the petitioners.

Ms. Samina Dhir, DAG, Punjab.

ANIL KSHETARPAL, J. (ORAL)

The petitioners pray for bail pending trial in a criminal case arising from FIR No.107 dated 26.08.2019 registered under Sections 307, 452, 506, 427, 148, 149 of the Indian Penal Code, 1860 and Sections 25/27 of the Arms Act, 1954, at Police Station Majitha Road, Amritsar.

Learned counsel for the petitioners relies upon orders passed on 24.02.2020 in CRM-M-52624-2019 and CRM-M-2180-2020 granting bail to co-accused Billa and Om Parkash @ Karata. He further relies upon order passed in CRM-M-20396-2020, Prabhjot Singh @ Sunny Paddarh Vs. State of Punjab, decided on 10.08.2020.

As per case of the prosecution, the petitioners alongwith co-accused attacked the first informant with deadly weapons. Allegations are that the petitioner fired two rounds from his firearm. It is not in dispute that it is a case of no injury. A cross-version has also been registered.

Learned counsel for the State failed to draw attention of the Court to any distinguishing features between the case of the petitioners and other co-accused except that the petitioners are involved in two more criminal cases.

This Court has seen reply filed. The petitioners are stated to be accused in FIR No.48 dated 02.04.2020 under Sections 336, 506, 148, 149 of IPC and 25 of the Arms Act. This case is pending trial. Other case is FIR No.120 dated 11.04.2020 under Sections 21, 29/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and 269, 270, 188 of IPC and 51 of the Disaster Management Act. In this case, 70 grams of heroin is alleged to have been recovered from five persons. The petitioners have already been granted bail.

On completion of the investigation, challan has already been presented. The petitioners are in custody since 13.04.2020.

Without commenting on the merits of the case and keeping in view the aforesaid facts, the petitioners are directed to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, the present petition is allowed.

30.10.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No