

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

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CRM-M-40892-2021

Date of Decision : September 30, 2021

SUPINDER SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. S.S. Grewal, Advocate
for the petitioner.

Through Video Conferencing

JASGURPREET SINGH PURI. J. (Oral)

The present petition is filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.189 dated 6.9.2021 under Sections 25, 27, 30, 54 and 59 of the Arms Act, registered at Police Station, City Sunam District Sangrur.

As per the FIR, which was lodged on the basis of an information received by the police from an informer that one Jaspreet Singh @ Babby son of Kewal Singh aged about 34-35 years is involved in gang war for long time with other gangsters of his village and against whom a number of cases of gang war have been registered in different police stations. They had also kept illegal weapons with them in large quantity and today also they would go to village Kurian on his Verna Car with a large quantity illegal weapons and if a nakabandi may be done on drain bridge on Jawanda Road, within the jurisdiction of Police Station City Sunam then aforesaid Jaspreet Singh @ Babby may be apprehended

alongwith illegal weapons. Thereafter, an FIR was registered on 6.9.2021 under Sections 25, 27, 30, 54 and 59 of Arms act against the aforesaid Jaspreet Singh @ Babby for keeping illegal weapons. It is the case of the prosecution that during investigation the police had recovered 0.32 bore pistol during raid and the said weapon which was a licensed weapon was owned by the petitioner. Thereafter, a number of other weapons alongwith five live cartridges were also recovered during further investigation.

The learned counsel for the petitioner has submitted that although it is correct that the recovered 0.32 pistol was a licensed weapon owned by the petitioner but it was mistakenly left in the car and might have been taken away by the co-accused because they belong to the same village. He submitted that the petitioner is not involved in any other case and has, therefore, prayed for the grant of anticipatory bail.

On the other hand, Mr. Harbir Sandhu, learned AAG, Punjab on instructions from HC Bhupinder Singh has submitted that a large number of arms and ammunitions were recovered and the main accused namely Jaspreet Singh @ Babby who was arrested, is involved in as many as 14 cases and 0.32 bore pistol which was recovered from him belongs to the petitioner, therefore, the custodial investigation of the petitioner is very essential for the purpose of elicitation the truth.

I have heard the learned counsels for the parties.

It is a case where on secret information, the police had raided the car from which a pistol was found and thereafter, during the investigation, a person was arrested on the disclosure statement of whom,

number of other weapons and ammunitions were recovered. The other co-accused namely Jaspreet Singh @ Babby is stated to be involved in 14 other cases and the pistol recovered from him belongs to the petitioner. The argument raised by the learned State counsel that in such a serious matter where 0.32 bore pistol belonging to the petitioner was recovered from a person who is involved in 14 such like criminal cases, the custodial investigation of the petitioner is required for elicitation of truth thus carries weight.

In view of the seriousness and magnitude of the case the argument raised by learned counsel for the petitioner that pistol was kept in car by mistake does not seem to be a sound ground for grant of anticipatory bail to him and, therefore, this Court is not inclined to grant the concession of anticipatory bail to the petitioner.

Consequently the present petition is, hereby, dismissed.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

September 30, 2021
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(JASGURPREET SINGH PURI)
JUDGE

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