

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 207

CRM-M-38775-2020

Date of decision : 11.01.2021

Anil

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.D.P.S.Bajwa, Advocate, for the petitioner.

Mr.Ashok Kumar Sehrawat, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks the grant of anticipatory bail in FIR No.175 dated 01.08.2020, registered under Section 25 of the Arms Act, 1959 (for short, the Act) at Police Station Sadar Narwana, district Jind.

Briefly stated, the case of the prosecution is that the petitioner sold a country made pistol to one Rinku and thus committed an offence under Section 25 of the Act.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case; the only evidence against the petitioner is a disclosure statement made by a co-accused in police custody which is inadmissible in evidence; co-accused Rinku has already been granted regular bail by this Court; the pistol has been recovered and therefore no further recovery is required to be made from petitioner; there is no other criminal case in which he is involved and that under the interim orders passed by this Court he has not only joined the investigation but has also fully cooperated with the investigating agency.

Learned State counsel submits that under the interim orders passed by this Court the petitioner has not only joined the investigation but has also fully cooperated with the investigating agency and that his custodial interrogation is not required by the State.

Keeping in view the totality of the above noticed facts especially the statement made by the learned State counsel that the petitioner has joined the investigation and his custodial interrogation is not required, the order of this Court dated 24.11.2020, granting ad interim anticipatory bail to the petitioner is made absolute.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

11.01.2021

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Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No

[DEEPAK SIBAL]
JUDGE