

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

206

CRM-M-30-2021

Date of Decision: 09.08.2021

Dalip Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Fatehjeet Singh, Advocate, for the petitioner.

Mr. Saurav Khurana, DAG, Punjab,
assisted by ASI Narinder Mohan.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.141 dated 19.08.2020 at Police Station Division No.1, Jalandhar, under Section 25/27 of the Arms Act and Section 188 IPC.
2. As per the FIR, a secret information was received by the police to the effect that one Mohan Kumar @ Mandeep had procured 9 MM pistol from someone in Bareilly and is going to sell the same to some customer. It is further the case of the prosecution that pursuant to receipt of said information, aforesaid Mohan Kumar came to be apprehended and one 9 MM pistol was recovered from him and that during the course of interrogation, he disclosed that he had earlier brought a country-made pistol from Bareilly and sold the

same to Sukhbir Singh through Parminder Singh @ Bittu. He further disclosed that the recovered pistol was supplied to him by his brother-in-law Dalip Singh @ Dalipa.

3. Learned counsel for the petitioner has submitted that he as well as his brother-in-law have been falsely implicated in the instant case simply in order to pressurize them as previously it was at the instance of the petitioner that a case came to be registered against several Police officials, as would be evident from order dated 23.03.2019 (Annexure P-3) wherein in a case registered against the petitioner under the NDPS Act, the CBI found the petitioner to be innocent.
4. The aforesaid factual position is not disputed by the learned State counsel. Learned State counsel has, however, informed that pursuant to interim directions issued on 06.01.2021, the petitioner has since joined investigation.
5. In view of the aforestated position wherein the chances of false implication of the petitioner cannot be ruled out, as it was at his instance that some Police officials came to be involved and while also noticing that the petitioner has since joined investigation, the petition is accepted and the interim directions issued by this Court vide order dated 06.01.2021 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

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

09.08.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No