

CRM-M-10547 of 2022

[1]

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-10547 of 2022

Decided on: 16th March, 2022

Baljeet Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Harmanpreet Sehgal, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

This third petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 88 dated 6.4.2021, under Section 307 IPC and Section 25 of the Arms Act, 1959 and Section 18(a) of the Narcotic Drugs & Psychotropic Substances Act, 1985 registered at Police Station City Faridkot.

Earlier two petitions were dismissed as withdrawn with liberty to revive the prayer at a later stage.

As per the case set up, a *naka* was laid down on 5.4.2021. A car in which the petitioner was occupant was signalled to stop. The driver of the car did not stop the car. The police party chased the car, during chase petitioner fired a shot in air with .32 bore country made pistol. The driver of the car lost control, the petitioner was apprehended from the spot and country made pistol was recovered.

Learned counsel for the petitioner submits that the petitioner is in custody since 5.4.2021, no recovery is to be made, the trial is at the

initial stage. He relies upon the fact that the co-accused who was allegedly driving the car was granted anticipatory bail by this court. He further submits that it is a case of no injury and the prosecution witnesses are police officials. The contention is that no charges have been framed under the Arms Act, 1959.

Learned counsel for the State opposes the prayer for grant of bail. He submits that the police officials were fired at.

Without commenting on the merits of the case and considering that it is a case of no injury, custody of the petitioner is of more than eleven months and the petitioner has no criminal antecedents and conclusion of trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

16th March, 2022

mk

- | | | |
|-------------------------------|---|---------|
| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |