

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-34293-2021 (O&M)
Date of Decision:- 11.2.2022

Randeep Singh

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- None for the petitioner.

Mr. Anmol S. Sandhu, AAG, Punjab.

(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. 90, dated 21.3.2020, Police Station Haibowal, District Police Commissionerate Ludhiana, under Section 25 of Arms Act.
2. At the time of issuance of notice of motion, the following order was passed by this Court on 23.8.2021:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No. 90, dated 21.3.2020, Police Station Haibowal,

District Police Commissionerate Ludhiana, under Section 25 fo Arms Act.

As per the case of prosecution a secret information was received by the police to the effect that one Dalip Singh is in unlawful possession of .315 bore pistol. Upon receipt of said information the aforesaid Dalip Singh was apprehended and .315 bore pistol and cartridges were recovered from him. It is further the case of prosecution, that after arresting Dalip Singh they came to know that the petitioner also had kept a weapon illegally.

Learned counsel for the petitioner submits that neither any disclosure statement of Dalip Singh was ever recorded and nor is there any other evidence against the petitioner and that he is sought to be nominated as an accused solely on the basis of some entry recorded in the *zimni* by the police and that he was neither present at the spot nor any recovery was ever effected from him. It has further been submitted that although the petitioner has been granted interim bail by the trial Court but since he could not join investigation on account of certain unavoidable reasons, the bail application came to be dismissed.

Notice of motion for 24.1.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel has informed that pursuant to interim directions, the petitioner has since joined investigation and is not

required for any custodial interrogation. It has also been informed that the petitioner otherwise happens to be involved in three other cases.

4. I have considered the aforesaid submissions addressed before this Court.
5. Having regard to the fact that the petitioner is sought to be nominated on the basis of a disclosure statement, recorded by co-accused to the effect that the petitioner had also kept a weapon illegally and while noticing that the petitioner has joined investigation and is not required for custodial interrogation, the petition is accepted and interim directions issued by this Court vide order dated 23.8.2021 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.

11.2.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No