

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

CRM-M-31505-2022

Date of decision: 29.09.2022

Gurjot Singh @ Garry

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. C.M. Munjal, Advocate
for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in a case bearing FIR No.61 dated 12.06.2022 registered under Section 25 of Arms Act, 1959 registered at Police Station Meharban, District Ludhiana.

Learned counsel for the petitioner submits that the allegations against the petitioner is that he has been found in possession of an unlicensed 32 bore pistol along with 04 live cartridges.

Notice of motion.

Mr. Amit Shukla, AAG, Punjab puts in appearance and accepts notice on behalf of the respondent-State and filed custody certificate along with status report by way of affidavit of Sh. Gurdev Singh, PPS, Assistant Commissioner of Police (East), Ludhiana and the same are taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

A perusal of the custody certificate shows that the petitioner is in custody for the last 03 months and 16 days. In the status report, it has been stated that after completion of the investigation, challan/final report

under Section 173 Cr.P.C. has already been presented against the petitioner before the learned trial Court on 10.08.2022 and the case is now fixed for hearing on 30.09.2022 for framing of charges.

The learned State counsel has submitted that there is another FIR pending against the petitioner bearing No.71 dated 27.05.2020 under Sections 307/324/323/341/506/148/149 of IPC registered at Police Station Division No.1, Ludhiana in which challan has already been presented under Sections 323/324/341/506/34/201 of IPC on 01.07.2022 and now the trial is pending in the Court of the learned JMIC, Ludhiana for 07.11.2022. However, counsel for the petitioner submits that in the above said case, the petitioner is on bail.

I have heard learned counsel for the parties.

No recovery is to be effected from the petitioner. The challan has already been presented. Trial is likely to take sufficient time and keeping in view the custody period of the petitioner, the present petition is allowed and the petitioner is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate. Nothing herein above shall construed as an expression of opinion on merits of the case.

The present petition stands disposed off accordingly.

29.09.2022
Neha

(NAMIT KUMAR)
JUDGE

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