

228

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

**CRM-M-31909-2022
Date of Decision: 09.11.2022**

Abhishek @ Jeetu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. S.S. Gill, Advocate
for the petitioner.

Mr. Naveen S. Panwar, DAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

Mr. S.S. Gill, Advocate has caused appearance on behalf of the petitioner and has filed Vakalatnama in Court today, which is taken on record.

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in FIR No.75, dated 19.03.2022 under Section 25(1b)(a) of the Arms Act (Sections 25(8) & 25(7)(i) of the Arms Act added later on and Section 29(B) of the Arms Act deleted later on), registered at Police Station Manesar, District Gurugram.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 21.03.2022 and the investigation of the case has already been completed and thereafter, challan has also been presented before the competent Court. He further submitted that even one

witness has also been examined and no recovery is to be effected from the petitioner and considering the custody of the petitioner, he may be considered for the grant of regular bail.

On the other hand, Mr. Naveen S. Panwar, learned Deputy Advocate General, Haryana has vehemently opposed the grant of regular bail to the petitioner. He has submitted that it is a case where on the basis of information, the police apprehended one Abhishek @ Gabbar from whom there was a recovery of large number of illegal weapons from his bag and one live round was also recovered from his bag and one country-made pistol was recovered from his right waistline, which was opened and checked and one live round was recovered from its barrel and 8 MM KF was printed on its body. He was asked to produce any license or permit about these weapons but he could not produce any document. Thereafter, the aforesaid Abhishek @ Gabbar disclosed that these weapons were supplied by the present petitioner whose name is Abhishek @ Jeetu. After the arrest of the present petitioner, he disclosed that he is running a factory of manufacturing the country-made pistol at Village Sadabahar, District Hathras, U.P. He further submitted that huge recovery has been effected from the petitioner who is involved in the manufacturing of illegal weapons, and therefore, considering the gravity of the offence, the petitioner is not entitled for the grant of regular bail. He also submitted that there is a strong apprehension that in case the petitioner is released on bail then he may again indulge in these activities and may also flee or abscond. He further submitted that the petitioner is involved in five more cases of similar nature and the details of the same are as follows:-

1. FIR No.1045/2015, under Sections 392, 411 IPC PS South Firojabad, U.P.
2. FIR No.130/2018, under Sections 395, 397, 412 IPC PS Sahpau, District Hathras, U.P.
3. FIR No.173/2018, under Sections 2, 3, Gangster Act, PS Sahpau, District Hathras, U.P.
4. FIR No.226/2018, under Sections 147, 148, 149, 307 IPC, 3/25 Arms Act, PS Sasni, District Hathras, U.P.
5. FIR No.227/2018, under Sections 3/25 Arms Act, PS Sasni, District Hathras, U.P.

I have heard the learned counsel for the parties.

The present is a case where there had been a huge recovery of arms and manufacturing materials and as per the learned State counsel, the petitioner had been running a factory of manufacturing weapon and he is involved in five more cases, which have been mentioned above. This Court is of the view that the gravity of the offence would disentitle the petitioner for grant of regular bail. Apart from the above, the apprehension expressed by the learned State counsel that the petitioner may repeat the offence and even abscond cannot be ignored and carries weight.

Consequently, finding no merit in the present petition, the same is hereby dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

09.11.2022

Bhumika

**(JASGURPREET SINGH PURI)
JUDGE**

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