

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

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CRM-M-32602-2022

Date of Decision : **July 28, 2022**

DAVINDER SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Vivek Singla, Advocate
for the petitioner.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.112 dated 5.9.2021 under Sections 307, 186, 353, 333 of IPC (offence under Section 120-B IPC added later on and Sections 25/27 of Arms Act, registered at Police Station Sadar, District Moga.

It has been submitted by the learned counsel for the petitioner that in the present case the petitioner has been falsely implicated and he is not named in the FIR and it was only on the basis of the disclosure statement that his name has been nominated. He submitted that earlier the petitioner was also involved in 11 FIRs. However, he stands acquitted in all of them.

On the other hand, Mr. Davinder Bir Singh, DAG, Punjab has stated that although it was on the basis of the disclosure statement that the petitioner's name was nominated but there was a huge recovery of 42 cartridges of 32 bore pistols from the double bed and 5 boxes

containing 88 live cartridges of 32 bore were also recovered from the almirah and in this way huge quantity of ammunition has been recovered from the bedroom of the petitioner. He further submitted that it is a case where the police party were on Naka stopped two persons who fired upon the police people and one of the police official, namely, Paramjit Singh was injured and there was also large recovery from the aforesaid two persons and the persons who were apprehended had stated that they had got the ammunition from the present petitioner.

I have heard the learned counsels for the parties.

It is a case where two persons had allegedly fired upon the police party and one of the police personnel was injured and they were carrying large number of ammunition which according to them was taken from the present petitioner from whose bedroom there was a huge recovery of arms and ammunition. This Court after considering the totality of the facts and circumstances of the present case is of the view that the petitioner does not deserve the concession of anticipatory bail.

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

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

July 28, 2022

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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No