

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

CRM-M-32945 of 2022(O&M)

Date of Decision: 03.08.2022

Sunil @ Sahil

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Varinder Basa, Advocate
For the petitioner.**

Ms. Samina Dhir, DAG Punjab.

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case having FIR No. 59 dated 03.06.2022, registered under Section 25 of Arms Act at Police Station Haryana, District Hoshiarpur.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. As per the allegations appearing on the record the petitioner was apprehended by the police on 03.06.2022 and one 'khanda' and five live cartridges of 7.65 mm were recovered from him regarding which he failed to produce any arms licence. The counsel for the petitioner further submits that after completion of investigation the police has presented the challan and it will take considerable time for the trial to conclude. The counsel for petitioner further submits that the petitioner is having no criminal history and as such no purpose will be served by keeping the petitioner behind the bars for any longer period.

The present petition is contested by the State counsel who submits five live cartridges and 'khanda' were recovered from the possession of the petitioner and he was possessing the said live cartridges without any arms licence. The State counsel has not disputed the fact that after completion of investigation challan has been presented.

I have considered the submissions made by learned counsel for the petitioner as well as learned State counsel.

In the light of the above as the recoveries have already been effected and police has presented the challan against the petitioner and other accused persons and it will take time for the trial to terminate. So, no useful purpose is going to be served by keeping the petitioner in custody for any longer period.

In view of the above, without commenting on the merits of the case, instant petition is allowed. The petitioner is ordered to be released on regular bail during trial on his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate concerned.

03.08.2022
Jiten

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No