

CRM-M-34260-2022

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

CRM-M-34260-2022

Date of decision: 16.11.2022

Manpreet Singh @ Manu and another

...Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Harpal Singh Sidhu, Advocate,
for the petitioners.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioners seek regular bail in case FIR No.108 dated 16.05.2022, registered at Police Station Dharmkot, District Moga, under Sections 25(6), (7) and (8) of the Arms Act, 1959.

Learned counsel for the petitioners submits that on the basis of secret information received by the police, the petitioners were apprehended alongwith unlicenced weapons; that .32 bore countrymade pistol alongwith two live cartridges had been recovered from petitioner No.1 whereas .32 bore pistol alongwith two live cartridges from petitioner No.2 also; that during investigation, petitioner No.1 had also got recovered another .32 bore countrymade pistol alongwith two cartridges; that the only allegation against the petitioners are that they were having unlicensed weapons for creating panic in the area; that however, the weapons

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recovered from the petitioners, were not used by them at any stage, and that the petitioners have been in custody since 16.05.2022.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioners, submits that the petitioners had created a panic in the area by keeping unlicensed weapons and there would be danger to a law and order situation. So far as petitioner No.1 is concerned, he is also involved in FIR No.249 dated 05.07.2022, registered at Police Station City Faridkot, under Sections 42 and 52-A Prisons Act.

Upon this, learned counsel for the petitioners that in aforesaid FIR No.249 dated 05.07.2022, petitioner No.1 has been released on bail, vide order dated 19.10.2022 passed by learned Judicial Magistrate Ist Class, Faridkot.

I have heard the learned counsel for the parties.

Though the petitioners were apprehended alongwith unlicensed weapons, yet the fact remains that the same had not been used by them at any stage. The petitioners have been in custody since 16.05.2022. Trial is unlikely to conclude any time soon. So far as petitioner No.1 is concerned, he has been released on bail in another case i.e. FIR No.249 dated 05.07.2022, registered against him. However, there is no other case registered or pending against petitioner No.2. Therefore, no useful purpose would be served by keeping the petitioners behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioners are ordered to be released on bail on their

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furnishing bail and surety bonds to the satisfaction of the learned trial
Court/Duty Magistrate.

16.11.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No