

(216) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35030-2022
Date of Decision: 30.08.2022

RAMPAL SINGH

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Bhupinder Bir Singh Randhawa, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

JASJIT SINGH BEDI, J.

The prayer in the present under Section 438 Cr.P.C. is for the grant of anticipatory bail to the petitioner in case FIR No.64 dated 16.07.2022 under Section 25 of Arms Act registered with Police Station Ghanie Ke Bangar, District Gurdaspur (Annexure P-1).

2. The brief facts of the case are that while the police party was on patrolling duty, the petitioner was found sitting in his Innova car bearing No.PB10BZ9696 and on seeing the police party, he escaped from the spot. When the said vehicle was searched, the recovery of a country made pistol (mauser) along with two magazines and three live cartridges was effected from the said vehicle.

3. The learned counsel for the petitioner *inter alia* contends that he has been falsely implicated in the case on account of political rivalry in the area because he has even earlier been involved in some false cases. He contends that his custodial interrogation is not required as the recovery

already stands effected. He thus, prays for the grant of anticipatory bail as he is ready and willing to join investigation.

4. On the other hand, the learned State counsel contends that the petitioner is a habitual offender. As many as four FIRs were registered against the petitioner. The details of which are reproduced hereinbelow:-

Sr. No.	Details of FIRs	Status
1.	FIR No.42 Dt. 05.06.2022 u/s 336, 34, IPC 25, 27, 54, 59 Arms Act, PS Ghaine Ke Banger, Batala	--
2.	FIR No.88 Dt. 29.12.2014 u/s 21, 61, 85 of NDSP Act, PS Ghaine Ke Banger, Batala.	FIR cancelled
3.	FIR No.106 Dt. 07.10.2012 u/s 279, 337, 338 IPC PS FGC, Batala	Acquitted on 24.05.2019
4.	FIR No.06 Dt. 06.01.2022 u/s 21, 61, 85 of NDPS Act PS DBN Batala.	On bail.

He contends that the antecedents of the petitioner certainly does not entitle him to the grant of anticipatory bail. Even otherwise, the custodial interrogation of the petitioner would be essential to establish the source of the arms and ammunition recovered from his vehicle.

5. I have heard the learned counsel for the parties at length.

6. Admittedly, the petitioner was identified at the spot by members of the police party. On seeing the police party, he fled away leaving behind the weapons in the Innova car owned by him. The petitioner does have criminal antecedents, the details of which have been mentioned hereinabove. In the present case, his custodial interrogation is certainly required in order to

establish the source of the arms and ammunition recovered from his vehicle and to take the investigation to its logical conclusion.

7. In view of the above, the petitioner does not deserve the concession of anticipatory bail therefore, the same is hereby dismissed.

(JASJIT SINGH BEDI)
JUDGE

30.08.2022

JITESH

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