

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

**CRM-M No.51728 of 2021
Date of Decision :18.04.2022**

Vishal

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE

Present : Mr.Vinod Pundir, Advocate for
Mr. Satbir Rathore, Advocate for the petitioner.

Mr. Luvinder Sofat, A.A.G.Punjab
assisted by ASI Salinder Singh.

ARUN PALLI, J. (Oral):

Vide this petition under Section 438 of Cr.P.C. the petitioner prays for anticipatory bail in FIR No.405 dated 14.07.2021, under Sections 379-B, 392 of IPC and 25/54/59 of Arms Act, registered at Police Station Zirakpur, District SAS Nagar.

Upon hearing the learned counsel for the petitioner on 13.12.2021, this Court had enlarged the petitioner on interim bail:-

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.405 dated 14.7.2021 at Police Station Zirakpur, District SAS Nagar under Sections 379-B, 392 of Indian Penal Code and Sections 25/54/59 of Arms Act.

The FIR was lodged on the basis of secret information received by the police to the effect that Arpit and Vishal, who are having illegal firearms, robbed people by brandishing their firearms and that even on the given day i.e. on 14.7.2021, they were roaming about on their motorcycle bearing registration No.HR-75-2372

alongwith illegal firearms in order to probe innocent persons.

Learned counsel for the petitioner submits that even if all the allegations as levelled in the FIR are taken to be correct, still no offence under Sections 398, 399 or 402 of Indian Penal Code would be attracted much less any offence under Section 379-B and 392 of Indian Penal Code as the only information is to the effect that the petitioner was having illegal firearms alongwith one more co-accused and that the petitioner was never arrested at the spot.

Notice of motion for 18.4.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C. ”

Learned State counsel submits that pursuant to the order dated 13.12.2021 (ibid) the petitioner had joined the investigation and is no longer required for any custodial interrogation.

In the wake of the above, the order dated 13.12.2021, is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. and shall join the investigation as and when called upon to do so.

The petition is accordingly disposed of.

(ARUN PALLI)
JUDGE

18.04.2022
Manoj Bhutani

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No