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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

-.-

CRM M 46538-2023
Date of Decision 19.09.2023*Manish**.....Petitioner**versus**State of Punjab**...Respondent***Coram Hon'ble Mr. Justice Rajbir Sehrawat**

Present: Mr. Sameydeen, Advocate for the petitioner

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Rajbir Sehrawat, J. (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure, praying for grant of anticipatory/pre-arrest bail to the petitioner in case FIR No. 08 dated 26.01.2023, registered under Section 25 of the Arms Act at Police Station Maloud, Police District Khanna, Ludhiana.

It is submitted by counsel for the petitioner that the case against the petitioner is false and concocted. The petitioner is not involved in the crime as alleged against him. Even as per the story of the prosecution, the name of the petitioner has surfaced only on the basis of disclosure statement of the co-accused. However, except the alleged disclosure statement, there is nothing with the police to connect the petitioner to the alleged crime. There is no other case against the petitioner. The petitioner shall join the investigation as and when called by the police. Hence, the petitioner deserves to be protected against his arrest.

Notice of motion.

Mr. Sandeep Singh, Additional Advocate General, Punjab

accepts notice on behalf of the respondent State.

Counsel for the State being assisted by Head Constable Harminder Singh, Police Station Malaud, Police District Khanna, Ludhiana has submitted that initially the FIR was registered against one Akashdeep Singh son of Shingara Singh, as during patrolling the police had found one Australian made pistol of 9mm, brand GLOCK in his vehicle. On interrogation, he disclosed the name of one Parvinder as the person from whom he had purchased the same. However, on further interrogation, the said Parvinder named one Deepak Goyal as the supplier of the said arms. When Deepak Goyal was arrested and interrogated, he got recovered one 32 bore pistol, 2 live cartridges, 2 magazines, one 315 bore *dessi katta*, 19 alive cartridges of 315 bore *dessi katta*. Further, the said Deepak Goyal disclosed that it was the petitioner, who is the main supplier of all the arms recovered from him and from other co-accused. The petitioner is deeply involved in the crime. There are as many as three more cases against the petitioner, including one under the Arms Act. The police are to unearth the true dimensions of the criminal activities of the petitioner. Therefore, the custodial interrogation of the petitioner is imperative in the case.

In view of the facts and circumstances of the case available on record, as well as, submissions made by counsel for the State, this Court does not find it appropriate to interfere in the matter so as to grant concession of anticipatory bail to the petitioner, at this stage.

Dismissed.

(Rajbir Sehrawat)
Judge

19.09.2023

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No