

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50907-2022 (O&M)
Date of Decision:-31.05.2023

SARWANT SINGH ALIAS RICKY ALIAS RIKI

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Gurmeet Singh Saini, Advocate
for the petitioner.

Mr. Chaman Lal Pawar, Addl. A.G. Punjab.

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KARAMJIT SINGH, J. (Oral)

CRM-24157-2023

In view of the reasons mentioned in the application, the same is
allowed and the main case is ordered to be taken on board today itself.

CRM-M-50907-2022

1. The petitioner has approached this Court seeking grant of regular bail
in a case having FIR No.71 dated 12.5.2022 registered under Section
25 of Arms Act at Police Station City, District Rupnagar.

2. The allegations in nut-shell are that on the basis of secret information, police apprehended the present petitioner and recovered 7 pistols of different bore and 15 live cartridges on 12.5.2022.
3. The counsel for the petitioner submits that the petitioner has been falsely implicated in the present case by the police and he is having no such criminal background and is involved only in one and her case that of assault only. The counsel for the petitioner further submits that after completion of investigation, police has presented the challan but it will take considerable time for the trial to conclude and all the offences are triable by the Court of Judicial Magistrate Ist Class and that the petitioner is incarcerated for last more than 1 year. So prayer is made that the petitioner be released on regular bail.
4. Status report by way of affidavit of Mr. Tarlochan Singh, DSP(R) Rupnagar, filed on behalf of the State is ordered to be taken on record.
5. The instant petition is contested by the State counsel, who on instructions from ASI Baljit Singh submits that in the instant case large quantity of fire arms and ammunition were recovered from the possession of the petitioner. However the State counsel has not disputed the fact that the petitioner is in custody since 12.5.2022 and that after framing of charges prosecution has examined 4 witnesses out total 8 witnesses.
6. I have considered the submissions made by counsel for the parties.
7. Admittedly all the offences are triable by the Court of Judicial Magistrate Ist Class and the alleged recoveries are already effected and

the petitioner who is in custody for the last more than 1 year is presently lodged in judicial custody and it will take considerable time for the trial to terminate, so no fruitful purpose is going to be served by prolonging judicial custody of the petitioner for indefinite period.

8. Thus, without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

31.05.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

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