

106

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

-.-

CRM M – 55304- 2023  
Date of decision: 06.11.2023*Manpreet Singh**.....Petitioner**Versus**State of Punjab**.....Respondent***Coram: Hon'ble Mr. Justice Rajbir Sehrawat**Present: Mr. Harmanpreet Singh, Advocate  
for the petitioner

-.-

**Rajbir Sehrawat, J. (Oral)**

1) 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. 156 dated 12.09.2023, registered under Sections 336, 506, 148, 149 of the Indian Penal Code and Sections 25 and 27 of the Arms Act, 1959, at Police Station Majitha, District Amritsar Rural (Annexure P-1).

2) It is submitted by counsel for the petitioner that the case against the petitioner is totally false and concocted. The petitioner is not involved in the present crime at all. Even as per the story of the prosecution, no injury has been caused by the petitioner with the fire arms. The petitioner's name has unnecessarily been dragged in the case only on the basis of disclosure statement of co-accused. Moreover, the fire-arms in question had already been deposited with the gun house much before the alleged date of the occurrence. Therefore, there is no question of the petitioner having used the said weapon. There is no other case against the petitioner. The petitioner

shall join the investigation. Hence, the petitioner deserves to be protected against his arrest.

- 3) Notice of motion.
- 4) Mr. Sandeep Singh, Additional Advocate General, Punjab accepts notice on behalf of the respondent - State.
- 5) Counsel for the State being instructed by ASI-Kulwant Singh has submitted that the petitioner is the main accused, who had fired shots from his licenced weapon. However, it is not disputed that the said licenced weapon had already deposited with the gun house. It is also not disputed that there is no injury, allegedly, caused to any body with the said fire-arms.
- 6) In view of the above, but without commenting any further on merits of the case, the present petition is allowed. In the event of arrest, the petitioner be released on bail, subject to his furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

(Rajbir Sehrawat)  
Judge

November 06, 2023  
mohan bimbra

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