

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-58993-2022 (O&M)

Date of decision : 21.3.2023

Amandeep Singh

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Vikas Gupta, Advocate,
for the petitioner.

Mr. C.L.Pawar, Addl. AG, Punjab

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.13 dated 26.4.2022 registered under Sections 25 of Arms Act at Police Station State Special Operation Cell, Amritsar, District Intelligence Wing (CID).

The allegations in nutshell are that on 26.4.2022, the police apprehended Amritpal Singh and Tejinder Singh while they were traveling in a car and on checking of the said car, one 12 bore single barrel gun was recovered along with 4 live cartridges of the same bore. During investigation, it was found that the aforesaid 2 accused procured the said fire arm and ammunition from the present petitioner and accordingly, the present petitioner was impleaded as accused.

On the last date of hearing, detailed order was passed whereby the petitioner was granted interim bail with direction to join the investigation.

Counsel for the petitioner submits that the aforesaid single barrel gun of 12 bore is a licensed firearm of the petitioner and copy of his arms licence is Annexure P-2. He further submits that the petitioner has joined the investigation in compliance of previous order of interim bail and that nothing remains to be recovered by the police from the petitioner.

State counsel on instructions from ASI Sukhdeep Singh submits that the petitioner has joined the investigation with the police and has not disputed the fact that the aforesaid licensed firearm is already in custody of the police and even the police has taken into its possession the original arm licence to get it verified from the concerned licensing authority.

In view of above, as firearm in question along with its arms licence is seized by the police and the petitioner has joined the investigation, no purpose is going to be served by subjecting the petitioner to custodial interrogation at this point of time.

Consequently, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 19.12.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. The petitioner is also directed to join further investigation as and when called by the police to do so.

(KARAMJIT SINGH)
JUDGE

March 21, 2023
Paritosh Kumar

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