

CRM-M-57437-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

103

CRM-M-57437-2023 (O & M)
Date of decision: 15.11.2023

SHAKTI SINGH

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Ms. Pooja Jaglan, Advocate,
for the petitioner.

RAJBIR SEHRAWAT, J. (Oral)

CRM-47887-2023

1. This is an application under Section 482 Cr.P.C., seeking exemption from filing certified/typed/certified/more legible copies of Annexures P-1 to P-5.

2. In view of the grounds mentioned in the application, the same is allowed.

CRM-M-57437-2023

3. The present petition has been filed under Section 438 Cr.P.C., seeking anticipatory/pre-arrest bail to the petitioner in case FIR No.25 dated 10.01.2023, registered under Sections 25, 54, 25(6) of the Arms Act, 1959, at Police Station Industrial Sector 29, Panipat.

4. It is submitted by counsel for the petitioner that the case

CRM-M-57437-2023

against the petitioner is totally false and concocted. The petitioner is not involved in the crime as alleged against him. Even as per the story of the prosecution, the petitioner has not committed any overt act nor has used any weapon, as such. The only allegation against the petitioner is that he was seen in the photograph uploaded by the co-accused, carrying a weapon in his hand. Firstly, the photograph was uploaded way back in the year 2021 and secondly, the weapon allegedly seen in the photograph, is not even a real weapon. The petitioner shall join investigation as and when called by the police. Therefore, the petitioner deserves to be protected against his arrest.

5. Notice of motion.

6. On the asking of this Court, Mr. Krishan Kumar Chahal, Addl. A. G. Haryana, accepts notice on behalf of the respondent-State.

7. Counsel for the petitioner, being instructed by HC Anil Kumar, has submitted that the petitioner is a part of the gang and he was seen in the photograph, alongwith other gang members. The petitioner is facing three more cases, including one case registered under the Arms Act, as well. However, it is not disputed by counsel for the State that in the present case, there is no allegation against the petitioner except the alleged fact that he was seen in the photograph in a social media post uploaded by the co-accused, carrying, allegedly, a weapon.

8. In view of the above, but without commenting anything 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,

CRM-M-57437-2023

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.

15.11.2023
parveen kumar

(RAJBIR SEHRAWAT)
JUDGE

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