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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-8933-2024
Date of decision: 28.02.2024

Kuldeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Puran Singh Hundal, Sr. Advocate with
Mr. Gursahib Singh Hundal, Advocate
for the petitiner.

Mr. Inderjeet Singh Ladher, DAG, Punjab.

KARAMJIT SINGH, J. (ORAL)

1. This petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case having FIR No.208, dated 01.12.2023, under Sections 25/54/59 of Arms Act, registered at Police Station City Khanna, Police District Khanna, District Ludhiana.
2. Counsel for the petitioner submits that as per the allegations, 5 countrymade pistols along with magazines were recovered from possession of the petitioner and the petitioner is in custody since 11.12.2023 and after completion of investigation, challan stands presented but trial is still to commence and the offences are triable by the Court of Judicial Magistrate, Ist Class and that the petitioner is having no criminal history

and is presently lodged in Borstal Jail, Ludhiana.

3. On the other hand, learned State counsel on instructions from ASI Major Singh submits that there are serious allegations against the petitioner and 5 countrymade pistols along with magazines were recovered from his possession by the police. However, the State counsel has not disputed the fact that after completion of investigation, police presented the challan but charges are not framed till date.

4. I have considered the submissions made by counsel for the parties.

5. Admittedly, the offence are triable by the Court of Judicial Magistrate, Ist Class and recoveries are already effected in the present case and presently, petitioner is lodged in judicial custody and it will take considerable time for the trial to conclude after its commencement and the petitioner who is presently lodged in Borstal Jail, Ludhiana is having no criminal history. In the given circumstances, no purpose is going to be served by prolonging the judicial custody of the petitioner.

6. Consequently, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned, if the petitioner is not required by the police in any other criminal case.

28.02.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

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