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

CRM-M-25265-2024(O&M)
Date of Decision: 06.09.2024

Karanbir Singh

...Petitioner

VS.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Rajat Dogra, Advocate
for the petitioner.

Mr. Deepinder Singh Brar, Senior DAG, Punjab.

N.S.Shekhawat J. (Oral)

CRM-30200-2024

1. The application has been filed under Section 482 Cr.P.C with a prayer to add the offence under Section 25 of Arms Act in the headnote as well as prayer clause of the main petition.
2. For the reasons mentioned in the application, the same is allowed, the offence under Section 25 of Arms Act is ordered to be added in the headnote as well as prayer clause of the main petition.
3. The Registry of the Court is directed to carry out the necessary correction in this regard.

CRM-M-25265-2024

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.166 dated



01.10.2023 registered under Sections 379-B(2), 201 of IPC and Section 25 of Arms Act added later on, at Police Station Majitha Amritsar, District Amritsar.

2. Learned counsel for the petitioner contends that the petitioner was not named in the FIR and has been arrayed as an accused in the present case only on the basis of the disclosure statement suffered by co-accused, which is inadmissible in evidence. He further contends that during the course of investigation, the police could not find any incriminating evidence against the petitioner. The petitioner was arrested in the present case on 21.03.2024 and is in custody for the last more than 05 months. He further contends that after his arrest, the investigation has been concluded and further custody of the petitioner will not serve any meaningful purpose.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner. He submits that two more cases of similar nature have been registered against the petitioner and the petitioner may repeat the crime. Thus, the petition deserves to be dismissed.

4. I have heard the learned counsel for the parties and perused the record.

5. In the present case, the petitioner had surrendered on 21.03.2024 and after that, the final report under Section 173 Cr.P.C. has already been presented before the Court of law. Still further, the injured in the present case has already been discharged from the hospital and is hale and hearty. Thus, further custody of the petitioner will not serve any meaningful purpose.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his



furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

- (i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.*
- (ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.*
- (iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*
- (iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*
- (v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*
- (vi) In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*
- (vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*
- (viii) The petitioner shall report every 1st Monday in English calander month to the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the rojnamcha. In case, he does not report on every 1st Monday to the concerned SHO, it shall be viewed seriously and the concession*



granted to him shall be liable to be cancelled and the State of Punjab shall be at liberty to move an appropriate application in this regard.

06.09.2024.

hemlata

(N.S.SHEKHAWAT)
JUDGE

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