



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CRM-M-36571-2024

Date of Decision: 19.11.2024

Jaimal Singh

...Petitioner

V/s

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. G.S. Gurna, Advocate, for the petitioner.

Mr. Rajinder Singh Bhatta, DAG, Punjab.

VIKRAM AGGARWAL, J (ORAL)

1. Prayer in the present petition filed under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 is for the grant of pre-arrest bail in case FIR No.18 dated 09.03.2024, registered under Section 25 of the Arms Act, 1959 and Section 120-B IPC, at Police Station State Special Operation Cell, Amritsar.
2. On 01.08.2024, the following order was passed by a Coordinate Bench of this Court:-

“This petition has been filed under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail to the petitioner in case bearing FIR No.18 dated 09.03.2024, under Sections 25, 54, 59 Arms Act and Section 120-B IPC registered at Police Station State Special Operation Cell, Amritsar.

Learned counsel for the petitioner inter-alia submits that petitioner has been named in the present FIR and allegations are general in nature. He further submits that the petitioner is having his own licensed weapon. The petitioner has been implicated in this FIR just due to political rivalry in the village. The petitioner was not arrested on the spot and nothing has been recovered from him.



Notice of motion for 19.11.2024.

Mr. Rajinder Singh Bhatta, DAG, Punjab appears and accepts notice on behalf of the respondent-State. He seeks some time to file status report. A copy of the paper book be supplied to him during the course of the day.

In the meantime, the petitioner is directed to join the investigation as and when called by SHO/Investigating Officer and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds and surety bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438 (2) Cr.P.C.:-

(i) that the petitioner shall make himself available for interrogation before the investigating officer as and when required:

(ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission of the Court concerned.

Status report be filed on or before the next date of hearing with an advance copy to the counsel opposite.”

3. Today, status report by way of affidavit of Deputy Superintendent of Police, Counter Intelligence, Amritsar has been filed in Court today, which is taken on record.

4. Learned counsel for the petitioner submits that in compliance of the order dated 01.08.2024, the petitioner has joined investigation. Whereas, on the other hand, learned counsel representing the State of Punjab submits that the petitioner did not cooperate with the investigation and effecting of recovery of illegal arms and ammunition.

5. The allegation in the FIR was that a secret information had been received that one Navjot Singh, Princedeeep Singh and the present petitioner



CRM-M-36571-2024

-3-

had formed a gang and that they had illegal weapons with which they carried out criminal activities. On receipt of the information, Navjot Singh was apprehended and one country made pistol .32 bore and 5 live cartridges of .32 bore were recovered from his possession. It is not in dispute that the said Navjot Singh had been granted regular bail on 27.03.2024 (Annexure P-2). As regards the present petitioner, the allegation was that Navjot Singh has handed over one .32 bore pistol to him in November 2023. The petitioner has already joined investigation though no recovery was made from him.

6. The argument that the petitioner did not cooperate with the investigation and in the recovery of illegal weapons is devoid of merit as the categorical case of the petitioner is that he has his own licensed weapon.

7. For, the petitioner has already joined investigation, the order dated 01.08.2024 passed by this Court is made absolute, subject to compliance of the provisions as envisaged under Section 438(2) Cr.P.C.

(VIKRAM AGGARWAL)
JUDGE

November 19, 2024

vcgarg

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