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

CRM-M-40742-2024

Date of Decision: August 22, 2024

RAVALJIT SINGH @SONU

.....Petitioner(s)

V/S

STATE OF PUNJAB

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Tarun Vir Singh Lehal, Advocate
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J.(ORAL)

1. Relief Sought

The jurisdiction of this Court under Section 482 B.N.S.S., has been invoked seeking the concession for the grant of anticipatory bail to the petitioner in FIR No.138 dated 30.07.2024 under Section 25 of Arms Act, 1959 registered at Police Station Beas District Amritsar Rural.

2. Prosecution story set up in the present case as per the version in the FIR read as under :-

'The Station House Officer, Police station Beas "Jai Hind". Today, I, ASI alongwith ASI Sarbjit Singh No.6, HC Pargat Singh No.82, PHG Sukhchain Singh No.20457 were present at Bus stand Sathiala on private car for patrolling and checking of suspected persons where, the secret informer came to me and gave information that Ritik Gill @ Gurbir son



of Dalbir Singh, resident of Fattuwal and Rawaljit Singh @ Sonu son Singh, resident of Timmowal of Jagtar who are having illegal weapons/ammunition. Those who buy weapons/arms from bad elements and sell them further. That they move around in area Beas with illegal weapons/arms from whom, illegal arms can be recovered. That this information being true and reliable, offence under sections 25, 54, 59 of Arms Act is made. So ruqa is being sent to the police station through PHG Sukhchain Singh for registration of case. Number be informed after registration of case. Special reports be issued and the same should be sent to the Illaga Magistrate and senior officers. Intimation be given control at the room through wireless. I, AST alongwith fellow employees are going for conducting raid to arrest accused. Today in the area of Bus stand Sathiala at 8.50 PM. Sd/ Tejinder Singh, ASI I/c Police post Sathiala, Police station Beas, Dated : 30.07.2024.

Today, on receipt of the aforesaid ruqa in the police station, the aforesaid case has been registered against the above mentioned accused. The original ruqa alongwith copy of FIR are being sent to the ASI at the spot through special messenger. Special reports be issued and the same are being sent to the Illaqa Magistrate through S/CT and senior Sukhdev Singh officers No.72. Intimation has been given at the Control room through wireless.'

3. Contentions

On behalf of the petitioner

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case only on the basis of disclosure statement of co-accused which is weak piece of evidence. Moreover, no recovery is to be effected from the petitioner.

**On behalf of the State**

Learned State Counsel appearing on advance notice on instructions from ASI Tajinder Singh, opposes the prayer for grant of anticipatory bail on the grounds that custodial interrogation of the petitioner is required for thorough investigation in the matter.

4. Analysis

Be that as it may, after given a thoughtful consideration to the submissions made by counsel for the parties, added with the fact that petitioner has been implicated in the present case on the basis of disclosure statement of the co-accused, hence, this Court finds no reason to deny the petitioner the concession of anticipatory bail wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. Decision

Hence, in view of the admitted set of circumstances before this Court, the petitioner is directed to be released on anticipatory bail subject to his joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of which are reproduced below :-

'When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such



directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person 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 from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section

(3) of section 480, as if the bail were granted under that section.'

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stands cancelled.

The petition in the aforesaid terms stands allowed.

(SANDEEP MOUDGIL)
JUDGE

22.08.2024
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Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No