



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46600-2024

Date of Decision:- 24.10.2024

PARDEEP KUMAR

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Kartik Patial, Mr. Jangveer Singh and Mr. Nitin Garg,
Advocates for the petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition under Section 482 of BNSS, 2023 for grant of pre-arrest bail in FIR No.16 dated 17.08.2024 under Section 25 of Arms Act, registered at Police Station G.R.P. Patiala (Annexure P-1).

2. As per the facts of the case, ASI Jaswinder Singh of Railway Police, Rajpura stated that on 17.08.2024 he along with the police party in uniform were present on the west corner near sign board platform No.01 at Railway Station, Rajpura for checking. At about 14.30 pm LR/ASI Harpinder Singh along with one black colour bag came and told that he along with PHG Kiran Kumar and PHG Feroze Khan were present in train No.12919 from Ambala Cantt. to Pathankot for escort. While checking train M-1 coach, the train reached railway station Rajpura and he

noticed that at some distance, some persons had thrown a bag from moving train. On the basis of suspicion, he reached near the door of coach but nobody was present there. Unclaimed black bag was found and on searching the same, some clothes were recovered. Since the train did not stop at Railway Station Rajpura, he got off from the train at Railway Station Sirhind and on reaching Railway Station Rajpura met him. On this, ASI Jaswinder Singh along with the police party went to the railway track in search of bag. Bag was recovered from which 100 local made pistol 32 bore along with magazines, 10 empty magazine spare, 3 commendation certificates, 1 Aadhar Card, 1 Railway ticket, 2 medal, one photo were recovered. Said weapons were taken into police possession and on the basis of said recovery, present FIR was registered.

3. Learned counsel for petitioner argued that he is falsely implicated in this case on the basis of identity proof found in the bag allegedly recovered by the police. He was nominated on the basis of disclosure statement of co-accused Happy. In-fact bag was recovered when nobody was present there. Present petitioner is professional kabaddi player and a keen sportsman. He is falsely implicated in this case.

4. Bail application is opposed by learned counsel representing State. Investigation was carried out on the basis of documents and articles recovered from the bag. In the disclosure statement of Happy, name of present petitioner Pardeep Kumar and Sanjay cropped up. In the said disclosure statement, he has narrated the manner in which all of them had gone together and the weapons were procured. Learned counsel representing State pointed out that apart from the disclosure statement,

present petitioner is connected with the said crime on the basis of railway

ticket and the record of Hotel where they stayed. Matter requires thorough investigation. It is a case of recovery of large quantity of illegal weapons.

5. I have considered the arguments and have gone through the record. Present petitioner has filed anticipatory bail. Investigation is at initial stage. Name of present petitioner along with other co-accused has cropped up in the disclosure statement of Happy and on that basis investigation is being carried out. Considering the nature of offence and the manner in which it has been committed, in my opinion, custodial interrogation of present petitioner is necessary.

6. In light of this, I do not find a fit case for grant of anticipatory bail and the same is accordingly, declined.

(AMARJOT BHATTI)
JUDGE

24.10.2024

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Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No