



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

219

CRM-M-64856-2023 (O&M)
Date of Decision:- 04.10.2024

DALVIR SINGH @ BHOLA

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. R.P. Dhir, Advocate for the petitioner.
Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
65	04.07.2023	397 IPC; 25 and 27 of the Arms Act; (324, 326, 307, 394, 120-B IPC added later on)	Haryana, District Hoshiarpur

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He submits that no specific overt act is attributed to him. He contends that petitioner has been implicated in this case on the basis of his own alleged confessional statement to the effect that he had supplied two country-made



pistols and 26 cartridges to the main accused of the case namely Manraj Singh and Navjot Singh. He contends that such confessional statement of the petitioner is not admissible in the eyes of law and he has been falsely implicated due to political enmity. He further submits that the petitioner is in custody since 29.07.2023 and the conclusion of trial is likely to take sufficient long time. Thus prayed for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel submits that there are specific allegations against the petitioner of having supplied two country-made pistols and 26 cartridges to the main accused namely Manraj Singh and Navjot Singh, who have used the same in the commission of crime. He submits that petitioner is facing 18 more criminal cases, hence, prayed for dismissal of the petition.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that the petitioner is admittedly not named in the FIR nor any specific overt act is attributed to him. The petitioner was arrested in case FIR No.77 dated 29.07.2023 registered under Section 25 of the Arms Act, Police Station Haryana, District Hoshiarpur, wherein he allegedly made a confessional statement of having supplied two countrymade pistols and 26 cartridges to accused Manraj Singh and Navjot Singh. So far as the other cases are concerned against the petitioner, he has been acquitted in 11 cases and in remaining cases, he is facing trial. The evidentiary value of such confessional statement of the petitioner is still debatable. After the



completion of investigation, challan has already been presented in Court and the criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

8. Pending miscellaneous application(s), if any, stand disposed of.

(SANJIV BERRY)
JUDGE

04.10.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |