

IN THE COURT OF SH.AVTAR SINGH, ADDITIONAL
SESSIONS JUDGE, S.A.S. NAGAR, (MOHALI). (UID
NO.PB00086)

B.A. CIS no. 1728 of 2024
CNR No. PBSA01-004492-2024
Decided on.06.06.2024

Siddharth Chaudhary aged about 23 years son of Kuldeep Chaudhary,
resident of Village Rampur, Tehsil Deoband, District Saharanpur, U.P.

.....Accused/applicant.

Versus.

State of Punjab

.... Respondent.

FIR No. 36 dated 29.04.2024
U/s. 25-54-59 of Arms Act
P.S. Phase-8, District SAS Nagar

Bail application under Section 439 Cr.P.C.

Present: Sh. Ravinder Rana, Adv, counsel for accused/applicant
Sh. S.S. Sahota, Addl. PP for the State

ORDER:-

1. This order of mine shall dispose of bail application filed by
bail applicant seeking regular bail in terms of Section 439 Cr.P.C. arising
out of above said FIR.

As per report of concerned alhmed, nothing is
pending/decided against applicant in Hon'ble Punjab and Haryana High
Court, Chandigarh in the present case/FIR.

2. Notice of bail application was issued to the State and learned
Addl. PP for the State has put in appearance. Record of investigation
summoned and received.

3. I have heard the learned Counsel for accused/applicant,

learned Addl. PP for the State and also perused the record.

4. The brief facts of the prosecution story in nutshell are that Inspector Rupinder Singh alongwith the police party were going towards Amb Sahib Gurudwara. At about 07:50 PM, one person was carrying a pack bag. On suspicion, he was apprehended. From pack bag, two Jeans were found and in which one countrymade pistol 315 bore recovered alongwith 1 live cartridge.

On further search of accused, one mobile phone Samsung, colour black, alongwith sim no. 93686-51410, one aadhar card, ₹1200/- and two live cartridges of 315 bore on which BMM and KF was written were recovered. Accordingly, offence was made out under Section 25 of Arms Act.

5. Learned counsel for accused/applicant argued that accused/applicant is implicated in the false case. He argued that no recovery is yet to be effected from the accused/applicant. Accused/applicant is in custody. He be prayed that the bail application be allowed.

6. On the other hand, the learned Addl. PP for the State argued that there are specific allegations against the accused/applicant. He further argued that if the bail is granted, the accused can influence the investigating agency and he can also influence the prosecution witnesses. He has prayed for dismissal of the bail application.

7. From the submissions of learned Additional Public Prosecutor, learned counsel for the accused/applicant, and from the record of police file, it is clear that from the accused/applicant, one countrymade pistol 315 bore

recovered alongwith 3 live cartridges. Conclusion of trial will take its own time. Accused/applicant is in custody. Nothing is to be recovered from the accused/applicant. The allegations against the accused/applicant are subject matter of evidence. Accused/applicant is ready to face the trial. Without commenting on the merits that conclusion of trial will take long time. No useful purpose would be served by keeping the accused/applicant behind bars. Hence, keeping in view all these facts and circumstances, the bail application of accused/applicant is allowed and he is directed to be released on bail on his furnishing personal bond in the sum of ₹50,000/- with one surety of the like amount, to the satisfaction of Illaqa Magistrate/duty Magistrate, subject to the conditions that he shall appear in the Court on each and every date of hearing; that he shall not tamper with the prosecution evidence; that he shall not leave India without prior permission of the court. Record of investigation be returned. File of bail application be consigned to the record room.

Pronounced:
06.06.2024

(Avtar Singh)
Addl. Sessions Judge,
S.A.S. Nagar, (Mohali).
(UID no. PB00086)

Bhupinder Singh
Stenographer-II