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**(2010) 09 P&H CK 0329**

**High Court Of Punjab And Haryana At Chandigarh**

**Case No:** Criminal Miscellaneous No. M-8156 of 2010

Harjinder Singh @ Billu

APPELLANT

Vs

State of Punjab

RESPONDENT

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**Date of Decision:** Sept. 13, 2010

**Acts Referred:**

- Criminal Procedure Code, 1973 (CrPC) - Section 313, 439
- Explosives Act, 1884 - Section 3, 4, 5
- Penal Code, 1860 (IPC) - Section 120B, 121, 121A, 123, 13
- Unlawful Activities (Prevention) Act, 1967 - Section 10, 11, 13

**Hon'ble Judges:** Ajai Lamba, J

**Bench:** Single Bench

**Final Decision:** Allowed

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**Judgement**

Ajai Lamba, J.

This petition has been filed u/s 439 Cr.P.C. for grant of regular bail in case FIR No. 84 dated 29.6.2009 under Sections 121, 121-A, 123, 13, 13-A, 120-B IPC; Sections 3, 4, 5 of the Explosives Act; Sections 10, 11, 13 of Unlawful Activities Act, 1967, registered with Police Station, Raikot.

2. Learned Counsel for the petitioner contends that entire evidence has been recorded by the Trial Court. Not a single witness has given statement against the petitioner to show that the petitioner has committed the offence as alleged.

3. Learned Counsel for the respondent-State, on instructions from Balkar Singh, Assistant Sub Inspector, contends that all the witnesses had to be declared hostile. There is no evidence forthcoming against the petitioner. The case is now fixed for the statement of the accused u/s 313 Cr.P.C. Learned Counsel further states that no recovery has been effected from the petitioner.

4. Considering the totality of facts and circumstances of the case, the petition is allowed.
5. Bail to the satisfaction of Trial Court. Heavy surety.