

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

**CRM-M-11236 of 2015
Date of decision : 30.04.2015**

Bablu Mohammad

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Rajesh Arora, Advocate
for the petitioner.

Mr. R.S.Doon, AAG, Haryana.

DARSHAN SINGH,J(Oral)

This petition has been filed for grant of the regular bail by petitioner in case FIR No. 52 dated 26.01.2015, under Sections 460, 411 of Indian Penal Code, 1860 (hereinafter called IPC), and Section 25-54-59 of Arms Act, Police Station Sector-10, Gurgaon.

The status report in the shape of affidavit of Mr. Kishori Lal, Assistant Commissioner of Police, Gurgaon has been filed, wherein it is mentioned that Section 412 IPC against the petitioner has been deleted and Section 411 IPC has been added. It is also mentioned that even the report under Section 173 Cr.PC has been filed in the Court for

offence under Sections 460 and 411 of IPC and Section 25 of Arms Act.

As per the prosecution allegations, the petitioner has received the stolen property. There are no allegations that he has participated in the main occurrence. The offence punishable under section 411 IPC, alleged against the present petitioner, carries the maximum punishment for three years. The petitioner is in custody since 31.01.2015. The recovery has already been effected. The investigation is also complete. So, there is no justification to further detain the petitioner in jail.

Thus, the present petition is hereby allowed and the petitioner is ordered to be released on bail on furnishing the requisite bail bonds to the satisfaction of the learned Chief Judicial Magistrate, Gurgaon.

Petition stands disposed of.

30.04.2015

s.khan

**(DARSHAN SINGH)
JUDGE**