

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

**CRM-M-16546 of 2015  
Date of decision : 27.05.2015**

**Malkiat Singh**

**..... Petitioner**

**Versus**

**State of Haryana**

**..... Respondent**

**CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH**

Present: Mr. Bijender Dhankar, Advocate  
for the petitioner.

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

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**DARSHAN SINGH,J(Oral)**

1. The present petition has been filed by petitioner Malkiat Singh under Section 439 Cr.P.C for grant of regular bail in case FIR No. 339 dated 26.08.2014, under Sections 395, 397, 506, 109, 120-B of Indian Penal Code (for short IPC) and Section 25 of Arms Act, registered at Police Station Rania, District Sirsa.

2. As per the prosecution allegations, co-accused Surender Kumar, Ravinder Singh, Rameshwar @ Titar

Singh, Ram Kumar and Paramjit Singh committed robbery in Punjab National Bank, village Bani, District Sirsa on 26.08.2014. However, they were apprehended at the spot by the mob and looted money was recovered. The allegations against the present petitioner are that he has supplied the arms and ammunition to the main accused against payment.

3. Learned counsel for the petitioner contended that there is no illegal evidence against the petitioner except the confessional statement of the applicant and co-accused recorded by the police which is not legally admissible. No recovery of any incriminating article has been effected from the petitioner. He is in custody for the last eight and half months. The conclusion of the trial will take time.

4. On the other hand, learned State counsel pleaded that the present petitioner has supplied the arms and ammunition to the co-accused against payment, who had gone to the Bank for committing robbery. Thus, he contended that the petitioner is involved in a serious crime and does not deserve the concession of bail.

5. I have duly considered the aforesaid contentions.

6. As admitted at bar, the only allegations against the petitioner is that he has supplied the arms and ammunition to the main accused who had gone to the bank

in order to commit robbery. These allegations are also based only on the disclosure statement of the accused and his co-accused. Admittedly, no recovery in pursuance thereof has been effected from the present petition. So, it is quite debatable as to whether those disclosure statements will be legally admissible or not. The present petitioner is in custody for the last more than eight and half months. The trial is pending still at the stage of evidence and conclusion thereof will take time.

7.            Thus, without expressing anything on the merits of the case, the present petition is hereby allowed and petitioner Malkiat Singh is ordered to be released on bail on furnishing the requisite bail bonds to the satisfaction of learned Chief Judicial Magistrate/ Duty Magistrate, Sirsa.

**27.05.2015**

s.khan

**( DARSHAN SINGH )**  
**JUDGE**