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

CRM-M-18867-2015 (O&M)

Date of decision: 06.07.2015

Vinod

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Pankaj Mehta, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.67 dated 05.05.2015 under Sections 147, 148, 149, 186, 332, 343, 353, 397, 506 IPC and Sections 25, 54, 59 of Arms Act, registered at Police Station GRP, District Hisar.

Notice to Advocate General, Haryana.

Mr. Ashish Yadav, Addl. AG, Haryana accepts notice.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. There was no occasion for the petitioner to involve in the commission of offence alleged against him. He also submits that keeping in view the place of occurrence, the story put forth by the prosecution seems to be highly improbable. He next contended that since one of the co-accused of the petitioner has already been granted bail, petitioner is also entitled for the same concession of bail pending trial. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Suratpal, Police Station GRP, District Hisar, submits that since there are specific and direct allegations against the petitioner and recovery of mobile of the complainant was also effected from the petitioner, he is not entitled for bail pending trial. He further submits that FIR was registered only on 05.05.2015 and challan has already been presented to the learned Court, thus, there is no delay on the part of prosecuting agency and the trial will be concluded within reasonable time. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties, after careful perusal of the record of the case and giving thoughtful consideration to the contentions raised, this Court is of the considered opinion that in the peculiar fact situation of the case, petitioner has not been found entitled for bail pending trial. It is so said because the allegations against the petitioner are direct and serious. Recovery is also effected from him. There is no delay being caused at the hands of investigating agency, as the report under Section 173 Cr.P.C. has already been presented, in spite of the fact that FIR was registered only on 05.05.2015.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the rights of either of the parties, no case for bail pending trial has been made out.

Dismissed.

[RAMESHWAR SINGH MALIK]
JUDGE

06.07.2015
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