

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

CRM-M-25934 of 2015(O&M)
Date of decision : 06.10.2015

Hamesh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Arun Yadav, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana
assisted with ASI Anil Kumar

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.152 dated 27.03.2015, registered under Sections 395/397 of the Indian Penal Code (for short 'IPC') and 25/54/59 of Arms Act, at Police Station Dharuhera, District Rewari.

The learned counsel for the petitioner, inter alia, contends that the petitioner is not named in the FIR, subsequently, he has been falsely implicated on the basis of disclosure statement of co-accused, Gurdev Singh. The petitioner is a young boy of 25 years and is not

involved in any other FIR. The petitioner is in custody since 12.04.2015.

On the other hand, the learned State counsel opposes the bail and states that a digital camera has been recovered from the petitioner. The challan stands presented, however, the charges are yet to be framed.

I have heard the learned counsel for the parties and perused the record.

Keeping in view the fact that the petitioner is not involved in any other FIR; not named in the FIR; not arrested from the spot; the challan stands presented and the charges are yet to be framed, therefore, it can safely be inferred that the trial is not likely to be concluded in the near future.

In view of above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds/surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

06.10.2015

ashok

(JITENDRA CHAUHAN)
JUDGE