

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-29119-2015

Date of Decision: September 3, 2015

Vasim

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. Nonish Kumar, Advocate,
for Mr. Vimal Kumar Gupta, Advocate,
for the petitioner.

Mr. Pawan Gaur, DAG, Haryana,
for the respondent.

1. *Whether Reporters of local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

NARESH KUMAR SANGHI, J (Oral)

Prayer in this petition, filed under Section 439, Cr.P.C., is for grant of bail to the petitioner, Vasim, son of Shahid, resident of Mohalla Sarafan, Village Khatauli, Police Station, Khatuli, District Muzafarnagar (Uttar Pradesh), who has been booked for having committed the offences punishable under Sections 399 and 402, IPC, in a case arising out of FIR No. 92, dated 1.6.2015, registered at Police Station, Sadar, Ambala.

Learned counsel contends that the allegations levelled in the FIR and subsequently emerged on the police file would not connect the petitioner with the offences for which he has been booked; the petitioner is behind the bars from 2.6.2015; and that

after completion of the investigation, the charge-sheet (report under Section 173, Cr.P.C.) has also been presented before learned Area Judicial Magistrate. He further submits that the petitioner is neither required nor involved in any other case.

Learned counsel for the State on instructions from HC Gurdev Singh of Police Station, Sadar, Ambala, very fairly concedes that the petitioner is neither required nor involved in any other case and no fire arm or arm attracting the mischief of Section 25 of the Arms Act was recovered from the petitioner at the time of his arrest.

I have heard learned counsel for the parties and with their able assistance gone through the material available on record.

Keeping in view totality of the facts and circumstances of the case, the present petition is allowed. The petitioner, Vasim, son of Shahid, resident of Mohalla Sarafan, Village Khatauli, Police Station, Khatuli, District Muzafarnagar (Uttar Pradesh), is ordered to be released on bail during pendency of the trial of the present case subject to his furnishing bail bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Ambala.

(NARESH KUMAR SANGHI)
JUDGE

September 3, 2015
Pkapoor