

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

CRM-M-30230 of 2015
Date of decision : 30.11.2015

Mahabir

...Petitioner (s)

Versus

State of Haryana

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. J. P. Dhull, Advocate for the petitioner (s).

Mr. Yashwinder Singh, DAG, Haryana
assisted by ASI Rajbir Singh.

JITENDRA CHAUHAN, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in a case FIR No.247, dated 05.08.2015, registered under Sections 398, 401 of the Indian Penal Code (IPC) and Sections 25/54/59 of Arms Act, at Police Station City Kaithal, District Kaithal.

The learned counsel for the petitioner has been falsely implicated in the FIR. He states that the petitioner is not involved in any other FIR, which fact is not disputed by the learned State counsel. The petitioner is an agriculturist.

The learned State counsel, on instructions, submits that co-accused namely Anil and Karan, were arrested from the spot, who

specifically stated in their disclosure statements that the vehicle and arms, used in the crime, was provided by the petitioner. However, the petitioner was not arrested from the spot.

Heard.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 24.09.2015, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

30.11.2015

ashok

**(JITENDRA CHAUHAN)
JUDGE**