

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

**Crl.Misc.No.M-5826 of 2015(O&M)
Date of Decision : 28.05.2015**

Bijender Sharma

....Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Ms. Sharmila Sharma, Advocate for the petitioner

Mr. Pawan Girdhar, Addl. AG, Haryana with
Mr. Himmat Singh, AAG, Haryana

MAHESH GROVER, J.

The petitioner prays for grant of regular bail in terms of Section 439 Cr.P.C in case FIR no. 20 dated 8.1.2013 registered under Sections 382, 397, 34 IPC and Sections 25, 54, 59 of Arms Act at Police Station City Rohtak.

It is contended by the learned counsel for the petitioner that the petitioner has been arrested in some other case and his police remand was taken but no recovery could be effected from him in the instant case. This fact has been duly noticed in the report of Nafe Singh, Sub Inspector, Police Station City Rohtak.

If that be so, then keeping the petitioner who has already been subjected to custodial investigation though not in the instant case while he was already arrested in another case in custody would serve no useful purpose.

In view of aforesaid facts, the instant petition is allowed. It is directed that the petitioner be released on bail in terms of Section 439 Cr.P.C .
Bail to the satisfaction of learned Trial Court.

Nothing said herein shall be construed to be an expression on the merits of the case.

May 28, 2015
rekha

(Mahesh Grover)
Judge