

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

CRM-M No.17593 of 2016 (O&M)
Date of decision: 05.08.2016

Kapil Petitioner

versus

State of Haryana Respondent

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Tapan Kumar Yadav, Advocate
for the petitioner.

Mr. Satish Saini, DAG, Haryana.

Ajay Tewari, J.(Oral)

The petitioner prays for grant of regular bail in case FIR No.351 dated 27.10.2015 registered under Sections 398, 401 IPC and 25/54/59 of Arms Act at Police Station Sector 18 District Gurgaon.

The allegations against the petitioner are that the petitioner and the co-accused were armed with weapons and tried to rob the passerby's.

Learned counsel for the petitioner has stated that the similarly situated co-accused of the petitioner was alleged to be armed with pistol but the same was never used and the co-accused have already been granted bail by Addl. Session Judge, Gurgaon vide order dated 31.12.2015 (Annexure P-3) and 12.01.2016 (Annexure P-4). The petitioner is in custody since 27.10.2015.

Learned State counsel has accepted this factual assertion.

Keeping in view the period of custody already suffered by the petitioner and without going into the merits of the case, I do not deem it appropriate to deny him the concession of bail.

Bail to the satisfaction of the Trial Court/Duty Magistrate,
Gurgaon.

Petition stands disposed of.

August 05, 2016
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(AJAY TEWARI)
JUDGE

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| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |