

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

1. CRM-M No.17666 of 2016(O&M)

Viresh @ Biresh -----Petitioner

Versus

The State of Haryana -----Respondent

2. CRM-M No.20371 of 2016(O&M)

Rajesh @ Premi -----Petitioner

Versus

The State of Haryana -----Respondent

Date of decision: 21.06.2016

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present: Mr. S.S. Nain, Advocate for the petitioners.

Mr. Rajneesh Chadhwal, DAG, Haryana.

HARINDER SINGH SIDHU, J.

The petitioners (Viresh @ Biresh and Rajesh @ Premi) in the aforesaid two petitions seek bail in case FIR No.12 dated 395/120-B of the Indian Penal Code and Section 25 of the Arms Act, Police Station Rajendra Park, District Gurgaon.

The allegations are that at about 3.00 am, the Police Party found 5-6 boys loading the batteries of a Mobile Tower in a tempo, in the area of

(petitioner in CRM-M-17666-2016) was arrested at the spot, while others managed their escape. On entering the Tower, it was found that the security guard Rahul was tied with his clothes.

Learned counsel for the petitioners contends that the petitioners are in their early thirties and they are behind bars for the last about six months and that even as per the allegations, no injury was caused to anyone by them at the time of the alleged crime. He also states that Imran, the scrap dealer, who was allegedly the main conspirator, has already been released on bail vide order dated 9.3.2016 passed by Additional Sessions Judge, Gurgaon.

The petitioners Viresh and Rajesh are in custody since 10.1.2016 and 15.1.2016 respectively.

Considering the above facts and circumstances of the case, the petitions are allowed. The petitioners Viresh @ Biresh and Rajesh @ Premi are ordered to be released on bail on their furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate, Gurgaon.

21.6.2016
Atul

(HARINDER SINGH SIDHU)
JUDGE