

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No.M-27224 of 2016
Date of Decision: 18.10.2016

Navraj

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Ashok Arora, Advocate
for the petitioner.

Mr. Vishal Garg, Addl.A.G., Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.403 dated 13.5.2016 under Sections 399/402 IPC and Section 25 of the Arms Act registered at Police Station Sadar, Hisar.

Learned counsel for the petitioner contends that the petitioner is in custody since 13.5.2016 and there is no other case against him except the present one. He further submits that the petitioner is handicap to the extent of 55% in relation to right lower limb, which is evident from the certificate dated 26.2.2009 (Annexure P-1). He further submits that in the instant case, challan has been presented and since trial will take long time, the petitioner be released on bail.

On the other hand, learned State counsel, on instructions from HC Jagat Singh, submits that the petitioner along with other co-accused was arrested from the spot while they were preparing to commit robbery and recovery of 2 feet and 11 inches of stick (danda) was made from the petitioner. He further argued that the plea on behalf of the petitioner that he is handicap to the extent of 55% is not relevant, particularly when he was part of the gang of robbers. However, he does not dispute the fact that the petitioner is in custody since 13.5.2016 and challan has been presented.

I have heard learned counsel for the parties.

No such material brought to the notice of this Court which may reflect past involvement of the petitioner in any other case of similar nature. The petitioner is stated to be handicap to the extent of 55% is in custody since 13.5.2016. Therefore, considering the fact trial in the case will take long time, as prosecution evidence has yet not been started, I deem it appropriate to release the petitioner on regular bail. Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to furnishing of his bail bonds/surety bonds to the satisfaction of the trial Court.

It is made clear that observations made hereinabove shall not be construed as any expression on the merits of the case.

October 18, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No