

1. CRM-M No.27823 of 2016 (O&M)
Date of decision : 27.09.2016

..... Petitioner

versus

..... Respondent

2 CRM-M No.27832 of 2016 (O&M)

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Chanderhas Yadav, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

AJAY TEWARI, J. (Oral)

Shri Devi Dyal, Deputy Superintendent is present in Court and his explanation is accepted. Further presence is exempted.

This order shall dispose of above referred two petitions. For the sake of convenience the facts are being taken from CRM-M-27823 of 2016.

The petition bearing No.**CRM-M-27823 of 2016** has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.4 dated 05.01.2015 registered under Sections 186/353/307/34 IPC and Sections 25/54 of the Arms Act at Police Station Mahem, District Rohtak Haryana

The petition bearing No.**CRM-M-27832 of 2016** has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.3 dated 04.01.2015 registered under Sections 186/353/307/420/34 IPC and Sections 25/54/59 of the Arms Act at Police Station Mahem, District Rohtak Haryana.

Learned counsel for the petitioner has argued that the petitioner has been in custody since 06.06.2015 and it is a no injury case.

Custody certificate filed by way of affidavit of Devi Dyal, Deputy Superintendent, District Jail, Gurgaon on behalf of State in **CRM-M-27823 of 2016** is taken on record. Copy supplied to the counsel opposite. As per custody certificate the petitioner has undergone actual sentence of 01 year, 04 months and 01 day.

Learned Deputy Advocate General has pointed out that as a matter of fact from 25.05.2015 till 07.05.2016 the petitioner was undergoing sentence in various cases. Even if that period is taken out the period of custody in the present case is about 4 ½ months.

Be that as it may, keeping in view the fact that it is a no injury case and the period of incarceration already suffered by the petitioner, without going into the merits of the case, I deem it appropriate to release the petitioner on regular bail to the satisfaction of the trial Court/Duty Magistrate.

Ordered accordingly.

Both the petitions stand allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

27.09.2016

pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No