

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

**Criminal Misc. No. M-27899 of 2016
Date of Decision:-30.08.2016**

Aarif

...Petitioner

Versus

State of Haryana

...Respondent

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

Present:- Mr. Vaibhav Sehgal, Advocate for
Mr. Parshant Sethi, Advocate
for the petitioner.

Mr. Manish Bansal, Deputy A.G., Haryana.

HARI PAL VERMA J.

Petitioner has approached this Court for grant of regular bail during the pending trial in FIR No.4 dated 2.1.2016, under Section 395 IPC and Section 25 of the Arms Act, registered at Police Station Dharuhera, District Rewari.

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the case and he is in custody since 2.1.2016. Challan in the case has already been presented. At the time of alleged occurrence, the police party was consisting of two officials whereas petitioner and his co-accused were five in numbers. So, practically it was impossible to arrest even the co-accused Mabarik. He further submits that

the trial will take sufficient long time for completion. No specific allegations have been levelled against the petitioner in the FIR. He further submits that the petitioner was not arrested from the spot.

Learned State counsel has argued that the petitioner was arrested on the statement of co-accused Mabarik. Even during investigation, the call details of the accused Mabarik, Tahir, Azhar, Samim and Aarif establishes their location at the place of occurrence. The other co-accused Samim is yet to be arrested and the car 'Ritz' used in commission of crime is also to be recovered.

I have heard learned counsel for the parties.

The allegations against the petitioner are serious in nature. His name has surfaced on the basis of statement of co-accused Mabarik. The mobile location of the petitioner also establishes his presence at the place of occurrence. Therefore, this Court does not find any merit in the present petition.

Accordingly, the petition is dismissed.

August 30, 2016

Vijay Asija

(HARI PAL VERMA)

JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No