

CRM-M-30676-2016
Date of decision-06.09.2016

Aman @ Shiva

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. G.S.Verma, Advocate for the petitioner.

Mr. Naveen Kaushik, Additional Advocate General, Haryana
assisted by ASI Sapinder Singh.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 439 of the Code of Criminal Procedure has been filed for grant of regular bail to petitioner Aman @ Shiva in FIR No.77 dated 14.04.2016 registered under Sections 398 and 401 of Indian Penal Code (in short 'IPC') and Section 25 of Arms Act, 1959 at Police Station Parao, District Ambala.

Learned counsel for the petitioner states that petitioner has been falsely implicated in the present case. Allegedly simple pipe has been shown to be recovered from the petitioner. He is in custody since 14.04.2016 and not involved in any other FIR.

On the other hand, learned State counsel submits that recovery of iron rod was effected from the petitioner. He fairly concedes that challan has been filed in this case and out of 08 witnesses, none has been examined so far.

I have heard learned counsel for the parties and have perused the record.

Considering the fact that the petitioner is in custody since 14.04.2016 and only an iron rod was recovered from the possession of the petitioner; challan has been presented and out of 08 witnesses, none has been examined so far; without adverting to the merits of the instant case, the instant petition is allowed. The petitioner is admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court.

Anything observed herein above shall not be construed as an expression of opinion on the merits of the case.

(JITENDRA CHAUHAN)
JUDGE

September 06, 2016

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No