

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

CRM-M-40188-2016 (O&M)

Date of decision : 22.11.2016

Birender Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Abhishek S. Bhaskar, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
assisted by ASI Surender Singh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.263 dated 09.12.2013, registered under Section 395, 397, 201 and 473 of the Indian Penal Code and Section 25 of the Arms Act, at P.S. Pinjore.

It is contended that the petitioner has not been named in the FIR. The articles allegedly recovered from the petitioner were in fact, recovered in FIR No.136 dated 19.12.2014, registered against the petitioner at P.S. Singh Bhagwantpura, Distt. Ropar, under Sections 399 and 402 of the Indian Penal Code and Sections 25 and 27 of the Arms Act. The petitioner is in custody for the last more than 2 years.

On the other hand, learned State counsel, **on instructions,**

ATUL SETHI
22.11.2016
I attest to the accuracy and
authenticity of this document
Chandigarh

informs that Rupees fifteen crores, uniform of Punjab Police and .32 bore country made pistol were recovered from the petitioner. Out of forty prosecution witnesses, twenty have already been examined.

Heard.

Keeping in view the serious nature of the offence alleged and the antecedents of the petitioner, no case for grant of bail is made out.

Dismissed.

22.11.2016

**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No