

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

Date of decision : December 22, 2016

1. CRM-M No.43375 of 2016

Irfan @ Bhindi vs State of Haryana

2. CRM-M No.43676 of 2016

Rajesh vs State of Haryana

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Satish Chaudhary, Advocate
for the petitioner in CRM-M No.43375 of 2016.

Mr. Atul Yadav, Advocate
for the petitioner in CRM-M No.43676 of 2016.

Mr. Satish Saini, DAG Punjab

Ajay Tewari, J (Oral)

The petitioners seek grant of regular bail in case FIR No.460, dated 4.5.2016, registered under Sections 395, 387, 346, 420, 506(2) of the IPC and Sections 25, 54, 59 of the Arms Act, at Police Station Sadar Gurgaon.

On 16.12.2016, a detailed reply had been filed by way of

affidavit of Anil Kumar, ACP, Gurugram who had accepted in that reply

that there were glaring infirmities in the investigation and in fact, disciplinary proceedings had been recommended against the then Investigating Officer.

Counsel for the petitioners have argued that the petitioners have now been in custody since 9.6.2016 and they cannot be kept in jail indefinitely because of the slipshod investigation, and their antecedents are clean.

Learned DAG Haryana, on instructions from ASI Surinder Singh, has accepted the factual assertions but points out that the prosecution has now moved an application for further investigation

Be that as it may, in view of the facts mentioned above and without commenting upon the merits of the case, and keeping in view the period of custody already suffered by the petitioners, I do not deem it appropriate to deny the concession of regular bail to the petitioners.

Bail to the satisfaction of the trial Court/Duty Magistrate.

Petitions stand disposed of.

December 22, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No