

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

CRM No.M-43832-2016 (O&M)

Date of decision: 13.12.2016

Surender

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. Raj Kapoor Malik, Advocate for the petitioner (s).

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

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.48 dated 20.02.2016, registered under Sections 120-B, 147, 148, 188, 283, 285, 323, 335, 341, 427, 435, 436 and 379 of the Indian Penal Code (for short 'the IPC') read with Section 149 IPC; Sections 25 and 27 of the Arms Act; and Section 4 of PDPP Act, at Police Station Pundri, District Kaithal.

The learned counsel for the petitioner contends that the petitioner was arrested in FIR No.50 dated 24.02.2016, registered under Sections 147, 148, 188, 283, 323, 427, 435, 436 and 379 IPC read with Section 149 IPC, at Police Station Pundri, District Kaithal, wherein he stands acquitted, which is duly admitted by learned State counsel. In the present FIR, there is nothing on record except his disclosure statement to

implicate him. The petitioner is in custody since 11.04.2016. No recovery was effected from the petitioner.

The learned State counsel has vehemently opposed the present bail.

Heard.

Considering the facts that the petitioner is in custody since 11.04.2016; no recovery had been effected from the petitioner; and except the disclosure statement nothing is on the record to implicate the petitioner in the present FIR, trial is likely to take a long time, therefore, no purpose would be served in keeping the petitioner behind the bars, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

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

13.12.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No