

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

CRM-M-4715-2016 (O&M)
Date of decision : 24.10.2016

Shekhawat @ Shehku

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Deepinder Brar, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by ASI Harbans Lal.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in FIR No.36 dated 05.03.2015, registered under Sections 307, 353 and 186 read with Section 34 of the Indian Penal Code and Sections 25 and 27 of the Arms Act, at P.S. Sadar Fazilka.

Contents that the petitioner is alleged to have been occupying rear seat of the vehicle in question carrying .315 bore rifle, which was without magazine. It is a case of no injury. Moreover, no overt act has been attributed to the petitioner. He is in custody since 05.03.2015.

On the other hand, learned State counsel has opposed the instant petition. On instructions, learned State counsel submits that the petitioner is a habitual offender and involved in as many as five more FIRs. She further informs that upon presentation of challan, the charges have already been framed and the matter is now fixed for prosecution evidence.

Heard.

ATUL SETHI
2016.10.24 17:20
I attest to the accuracy and
authenticity of this document
Chandigarh

The petitioner is behind the bars since 05.03.2015. During the course of arguments, learned counsel for the petitioner has furnished certified copies of four judgments of acquittal earned by him. The same are taken on record.

Keeping in view the above and the fact that it is a case of no injury and out of eight prosecution witnesses, none has been examined so far, therefore, it can safely be inferred that the conclusion of the trial may take time, 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.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

24.10.2016
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(JITENDRA CHAUHAN)
JUDGE

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