

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-8291 of 2016 (O&M)

Date of Decision: 09.05.2016

Saleem

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sandeep Gahlawat, Advocate for the petitioner.

Mr. Vivek Saini, D.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.12 dated 20.1.2016 under sections 398, 401 I.P.C and sections 25, 54, 59 of Arms Act, registered at Police Station, Bilaspur, District Yamuna Nagar.

Learned counsel for the parties have been heard.

As per prosecution version, secret information had been received and in pursuant to which a raiding party was constituted. As per secret information, the present petitioner as also one co-accused namely Ram Niwas were armed with weapons and were standing at a particular spot to rob the people/passers by. Police officials were instructed to proceed on foot at the spot as per secret information. Allegations against the present petitioner are that he had made an attempt to take out the purse from the back pocket of trouser worn by Constable Sandeep and was apprehended on the spot on 20.1.2016. Upon his personal search a country made pistol of 315 bore and a live cartridge was recovered.

Investigation in the case is complete. Challan stands presented and even charges have been framed.

Even though, the present petition was vehemently opposed by learned State counsel by stating that the petitioner is a habitual offender, yet, counsel for the petitioner had adverted to the details of the previous four F.I.Rs in which the petitioner was involved and furnished in para 7 of the petition. Court has been apprised that in two of the F.I.Rs i.e. bearing no.237 dated 2.7.2012 and no.397 dated 7.7.2012 the petitioner has already been granted bail. In the other two criminal proceedings petitioner already stands acquitted.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Yamuna Nagar.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

09.05.2016

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