

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

CRM No.M-8804 of 2016 (O&M)

Date of Decision: 29.04.2016

Anil @ Kala

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. V.D. Sharma, Advocate for
Mr. R.K. Malik, Advocate for the petitioner.

Mr. Rajiv Doon, AAG, Haryana.

....

TEJINDER SINGH DHINDSA.J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.247 dated 05.08.2015, under Sections 398/401 IPC and Sections 25/54/59 of the Arms Act, registered at Police Station City Kaithal, District Kaithal.

Counsel for the parties have been heard.

FIR was registered on the basis of secret information having been given that two young boys armed with dangerous weapons are planning to commit robbery. Upon receiving such information, the police officials, who were in a vehicle are stated to have removed the blue light as also name plate of police vehicle and proceeded towards the spot. It is alleged that one boy by showing the light of torch called upon the police vehicle to stop and by taking out a pistol in his hand called upon the official of the rank of Sub Inspector to give up whatever cash or jewellery was on his person. The second boy was stated to armed with an iron rod and proceeded towards the driver seat of the vehicle. Both the young persons were stated to be apprehended on the spot.

The present petitioner has been implicated on the basis that he was the young boy who was armed with a country made pistol and which was recovered from the spot.

Petitioner was arrested on 05.08.2015.

Investigation in the case having been completed, challan stands presented.

Learned State counsel upon instructions from ASI Satish Kumar would apprise the Court that after framing of charges, 4 prosecution witnesses out of 15 cited have been examined till date. The trial as such would take time to conclude.

Without making any observations on merits and keeping in view the length of incarceration already suffered by the petitioner, he is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of Chief Judicial Magistrate/Duty Magistrate, Kaithal.

Disposed of.

29.04.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**