

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

CRM -M-16290 of 2017 (O&M)

Date of decision: 15.05.2017

Jitender @ Sonu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. R.S. Budhwar, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

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 FIR No. 105 dated 09.04.2017, registered under Section 25 of Arms Act, at Police Station Ladwa, District Kurukshetra.

It is contended that the petitioner is known to Sub Inspector Tarsem Singh at whose behest allegedly the petitioner has been repeatedly framed in various FIRs. The petitioner stands acquitted in three of such FIRs. In the present case, no overt act has been attributed to the petitioner. As per FIR, a country made pistol has been shown to be recovered from him. The petitioner is in custody since 09.04.2017.

On the other hand, learned State counsel opposes the bail application and states that the petitioner is changing stance since he

never raised any assertion with regard to hostility by SI Tarsem Singh qua him.

I have heard learned counsel for the parties and perused the record.

Considering the fact that no overt act has been attributed to the petitioner; he is in custody since 09.04.2017; the challan stands presented; charges have been framed; out of total 7 PWs who are police officials, none has been examined so far; the conclusion of trial will take a long time, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court.

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

15.05.2017
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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