

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

CRM -M-17617 of 2017 (O&M)

Date of decision: 26.05.2017

Naresh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Balkar Singh, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Om Parkash.

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. 474 dated 23.10.2016, registered under Sections 394, 397, 379-B of IPC and Section 25 of Arms Act, at Police Station Ganaur, District Sonapat.

It is contended that petitioner and complainant are residents of the same locality. No such incident as projected in the complaint had ever taken place. The petitioner has been falsely implicated in the present case as the petitioner had dispute with brother of the complainant a few days prior to lodging of present FIR. He further states that a country made licensed pistol and five cartridges have been shown to be effected from the petitioner. The petitioner is in

custody since 26.10.2016.

On the other hand, the learned State counsel opposes the bail application and states that recovery of country made pistol along with five cartridges has been effected from the petitioner. However, he fairly admits that the weapon so recovered was a licensed weapon and the petitioner is not involved in any other FIR.

Heard.

Considering the fact that weapon allegedly recovered is a licensed weapon; the petitioner is not involved in any other FIR; the petitioner aged about 35 year saddled with the responsibility of raising his family does not have any criminal antecedents and he is in custody since 26.10.2016; out of total 20 PWs, 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.

26.05.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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