

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

CRL. MISC. No.M-31793 OF 2017 (O&M)
DATE OF DECISION : 26th SEPTEMBER, 2017

Shubham @ Shugan

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

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

Ms. Tanushree Gupta, DAG, Haryana.

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A. B. CHAUDHARI, J. (ORAL)

CRM-30888-2017

The application is allowed and the affidavit of father of the petitioner is taken on record.

CRM-M-31793-2017

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.114 dated 26.06.2017 registered under Sections 398 and 401 IPC and Section 25 of the Arms Act at Police Station Radaur, District Yamuna Nagar.

Heard learned counsel for the rival parties.

Learned State counsel submits that the trial is posted for 03-04 October, 2017 before the trial Court. She further states that one more case is pending against the petitioner.

The age of the petitioner is eighteen years. The allegations are that along with other two members of the gang they were planning to

commit robbery on the highway and were arrested on the spot. It is not in dispute that the witnesses, which will be examined, are official witnesses and in that view of the matter there is no likelihood of tampering of the witnesses before the trial Court. That apart, pursuant to the order of previous date, affidavit by petitioner's father has been filed and taken on record today. The affidavit was directed to be filed looking to the age of the petitioner and in order to give one chance to reform. In affidavit father of the petitioner has taken responsibility of the petitioner in para 4 and 5 thereof. It is made clear that if the petitioner is again found indulging in any offence, the police shall be entitled to take action against Ramesh Kumar, father of the petitioner by registering offence against him as well.

In the result the petition for regular bail is allowed. The petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate. The bail of the petitioner is subject to the above conditions.

26th SEPTEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: *Yes* *No*

Whether Reportable: *Yes* *No*