

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

**CRM-M-6847 of 2017**

**Date of Decision: 07.03.2017**

Satish @ Khatu

....Petitioner

**VERSUS**

State of Haryana

....Respondent

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. Lajpat Sharma, Advocate  
for the petitioner.

\*\*\*\*\*

**SURINDER GUPTA, J.(Oral)**

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 351 dated 03.09.2016 registered for the offence punishable under Section 25 of the Arms Act, at Police Station Sadar Dadri, District Bhiwani.

Heard.

Notice of motion.

On asking of the court, Ms. Neelam Kashyap, DAG, Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

The petitioner was arrested in this case on 03.09.2016 and .315 country made pistol was recovered from his possession.

Learned State counsel on instructions from ASI Satbir submits that 46 FIRs have been registered against the petitioner, which show that he is a habitual offender.

On perusal of Annexure P-2, I find that out of 46 FIRs

registered against the petitioner 45 were registered in the year 2011 and 2012. Except 2 FIRs, all other FIRs were registered in the year 2011 against the petitioner for offence punishable under Section 136 of the Electricity Act. In case bearing FIR No. 78 dated 06.07.2011, registered for offences punishable under Sections 398 and 401 IPC and 25 of the Arms Act, the petitioner has already been acquitted.

Investigation in this case is complete and challan has been presented against the petitioner.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Satish @ Khatu is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

**March 07, 2017**  
**jk**

**( SURINDER GUPTA )**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No