

Crl. Misc. No. M-10830 of 2018

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-10830 of 2018

DATE OF DECISION:13.08.2018

Sombir

.....Petitioner

Versus

State of Haryana

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Ramender Chauhan, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. by petitioner-Sombir for grant of regular bail in case FIR No. 48 dated 4.2.2018 registered under Section 25 of the Arms Act at Police Station City Hansi, District Hisar.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in this case, whereas, he was not involved in any manner. There is no material on record regarding conspiracy or involvement of the petitioner and no overt act has also been attributed to him. Learned counsel further contends that the petitioner is in custody since 4.2.2018 and even a single witness has not been examined so far. All the witnesses are official witnesses and no purpose would be served by keeping

the petitioner behind the bars.

Learned State counsel has not disputed the custody period and also the stage of the trial but opposes grant of bail to the petitioner on the ground that one more case is pending against him.

Keeping in view the submissions made by learned counsel for the petitioner and also the facts that the petitioner is in custody since 4.2.2018; in another case, the petitioner is on bail; all witnesses are official witnesses and there is no possibility that the petitioner may influence them or tamper with the evidence, the present petition is allowed. Petitioner-Sombir is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court.

August 13, 2018
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No