

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

Crl. Misc. No.M-13454 of 2018 (O&M)

Date of Decision: July 18, 2018

Dharambir

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

Crl. Misc. No.M-14625 of 2018 (O&M)

Pardeep alias Billu

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. V.P. Sangwan, Advocate
for the petitioner (CRM-M-13454-2018)

Mr. V.K. Sheoran, Advocate
for the petitioner (CRM-M-14625-2018)

Mr. Deepak Grewal, DAG, Haryana.

SURINDER GUPTA, J.(Oral)

Both the above mentioned petitions have been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner(s) in case FIR No.189 dated 10.10.2017 registered for the offences punishable under Sections 399/402 of IPC, Section 25 of Arms Act and Section 18 of Narcotic Drugs & Psychotropic Substances Act at Police Station Loharu, District Bhiwani.

Heard.

As per case of prosecution, the petitioner was apprehended by the police party while they were travelling in the car and the weapons like

pistols, sten-gun, and live cartridges were recovered from their possession along with 500 grams opium milk.

Learned counsel for petitioner(s) have pointed out about the CCTV footage, copy of which was supplied to learned State counsel and have submitted that the petitioner Dharambir was in fact apprehended on 6.10.2017, as such, the entire version of the prosecution regarding alleged apprehension of the petitioner on 10.10.2017 is proved to be false.

Learned State counsel submits that the CCTV footage has been examined by the police. The police of Police Station Loharu has not visited the house of petitioner Dharambir on 6.10.2018. The petitioner(s) as well as his brother are hardcore criminals and possibility of conducting raid at their house by police of some other district cannot be ruled out. The police officials in the CCTV footage are also not clearly visible. In this case petitioner (s) were apprehended with 6 pistols of different bore, live cartridges, sten-gun, A.K. 47 rifle, which show that they form a dreaded gang to create terror in the area.

Keeping in view the gravity of offence and that the challan has already been filed and 8 out of 17 witnesses have been examined so far, I do not find any reason to extend benefit of regular bail to the petitioner (s) at this stage.

These petitions have no merits.

Dismissed.

It is, however, made clear that nothing observed in this order shall be taken as expression of opinion on merits of the case.

Copy of this order be placed on the file of other connected matter.

July 18, 2018
deepak.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***