

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

**CRM-M-16057-2018
Date of decision:25.4.2018**

Shivam Bajaj

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Kawalpreet Singh Virk, Advocate
for the petitioner.

Mr. Vikas Malik, D.A.G., Haryana
for the sole respondent.

MAHABIR SINGH SINDHU, J. (ORAL)

This petition has been filed by the petitioner under Section 439 of the Criminal Procedure Code ('Cr.P.C.' - for short) for grant of regular bail in FIR No.1316 dated 24.12.2017 under Section 379 of the Indian Penal Code ('IPC' - for short) and Section 25/54 of the Arms Act (later on charges framed under Section 379-B IPC and Section 28 of the Arms Act) registered at Police Station city Panipat, District Panipat.

It is contended by learned counsel for the petitioner that recovery against him is a dummy pistol and a registration certificate of the alleged car bearing registration No.HR06-AM-0024. It is further

contended that the petitioner is in judicial custody since 25.12.2017 and after completion of investigation and usual formalities, charges were framed against the petitioner on 27.3.2018 and now case is fixed for prosecution evidence on 8.5.2018.

Learned State counsel has duly acknowledged the above factual position on instructions from ASI Jawahar Lal.

Heard both sides.

In view of the fact that the petitioner is in custody since 25.12.2017 and charges have already been framed by learned trial Court and out of eleven prosecution witnesses none has been examined till date. The conclusion of trial is likely to take a long time, hence no useful purpose would be served by keeping the petitioner behind the bars, more particularly recovery is only a dummy pistol and a registration certificate of the alleged car, not the alleged car in question. Consequently, this Court is of the view that it would be just and appropriate if the concession of bail is granted to the petitioner. Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is accepted. Petitioner-Shivam Bajaj be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

**(MAHABIR SINGH SINDHU)
JUDGE**

25.4.2018
Gaurav Sorot

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| 1. | Whether reportable? | Yes |
| 2. | Whether reasoned / speaking? | Yes |