

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

**CRM-M-19785-2018
Date of decision:15.5.2018**

Deepak

.....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Preetinder S. Ahluwalia, Advocate
for the petitioner.

Mr. Vikas Malik, D.A.G., Haryana.

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.88 dated 6.2.2018 under Section 308 Indian Penal Code ('IPC' - for short) and Section 25 of the Arms Act registered at Police Station Sadar Bahadurgarh, District Jhajjar.

It is contended by learned counsel for the petitioner that neither he has been named in the FIR; nor anything is to be recovered from him. It is further contended that co-accused Suresh from whom weapon has been recovered has already been granted concession of

regular bail by learned Duty Magistrate, Jhajjar (P-2).

The above factual position is duly acknowledged by learned State counsel on instructions from ASI Pritam Singh, but opposed the petition and prayed for dismissal of the same.

Heard both sides.

The main accused namely Suresh has already been granted concession of regular bail by learned Duty Magistrate, Jhajjar. Keeping in view the fact that initially the FIR was registered for an offence punishable under Section 338 of the IPC along with Section 25 of the Arms Act and Section 308 IPC was added later on. 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.

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-Deepak 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**

15.5.2018
Gaurav Sorot

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