

Crl. Misc. No. M-20101 of 2018

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-20101 of 2018

DATE OF DECISION:19.11.2018

Srikant @ Kanta

.....Petitioner

Versus

State of Haryana

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Rajesh Malik, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

DAYA CHAUDHARY, J.

The present petition has been filed by petitioner-Srikant @ Kanta under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No. 558 dated 31.8.2017 registered under Sections 148,149,353, 186,307,115 and 120-B IPC read with Sections 25/27/54/59 of Arms Act at Police Station Sonapat City, Sonapat.

Learned counsel for the petitioner contends that the petitioner was implicated in this case in place of unknown persons. The only allegation against the petitioner is that his car was used in the commission of offence and he paid an amount of Rs.15,000/- to co-accused-Azad. Learned counsel further contends that there is no other connecting evidence against the petitioner and he has been implicated only on the basis of

disclosure statement made by co-accused. The petitioner was arrested on 7.10.2017 and since then he is in custody. All material witnesses have been examined and remaining witnesses are official witnesses. Nothing is to be recovered from the petitioner as recovery has already been effected. Learned counsel also contends that in other case i.e. FIR No. 336 dated 20.8.2017 registered under Sections 379-B IPC (Sections 395,397 and 412 IPC were added later) also the petitioner was implicated on the basis of disclosure statement and has been released on regular bail.

Learned counsel for respondent-State has opposed grant of regular bail to the petitioner on the ground that two more cases are there against the petitioner

On the other hand, learned counsel for the petitioner contends that the petitioner is on bail in those cases.

Heard the arguments advanced by learned counsel for the parties and have also gone through the contents of the FIR and other documents available on the file.

Keeping in view the submissions made by learned counsel for the petitioner and also the facts that the petitioner is in custody since 7.10.2017; all the material witnesses have been examined, remaining witnesses are official and in both the cases, he is on bail, the present petition is allowed. Petitioner-Srikant @ Kanta is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court.

November 19, 2018
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes