

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

**Criminal Misc. No. M-25679-2018
Date of Decision: 13.07.2018**

Rasid

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Nonish Kumar, Advocate for the petitioner.
Mr. Vikas Chopra, DAG, Haryana.

...

Inderjit Singh, J.

Petitioner-Rasid has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.248, registered at Police Station 04.11.2017, under Sections 398 and 401 of Indian Penal Code and Section 25 of the Arms Act, 1959.

Notice of motion was issued. Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that the FIR in the present case was registered on the basis of secret information that if a raid is conducted, two young boys armed with weapons, who were planning to rob the passerby, can be apprehended. Raid was conducted. Two persons were apprehended including the present petitioner. On search, .315 bore country made pistol was recovered from the present petitioner and from co-accused wooden danda was recovered.

The petitioner has been in custody since 06.11.2017. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

However, it is made clear that any observation made hereinabove shall not be construed as an expression of opinion on the merits of the case.

13.07.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No