

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

**CRM-M-32553-2018
Date of decision: 23.10.2018**

Sharavan @ Kana

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Sunil Kumar Sharma, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 187 dated 28.10.2017, under Section 392 IPC and Section 25/54/59 of the Arms Act, registered at Police Station Tigaon, Faridabad.

Learned counsel for the petitioner submits that the petitioner was known to the complainant as he had some dealing with one of the close associates of the complainant and, therefore, while recording the FIR, the complainant could have named him at the very first instance.

Learned counsel for the petitioner further submits that petitioner is not involved in any other case and he is working as a tractor driver. It is further submitted that petitioner is in judicial custody since 04.04.2018 and challan stands presented and no prosecution witness has been examined so far.

In reply, learned State counsel, on instructions from ASI Devinder Kumar, submits that two of the co-accused of the petitioner are yet

to be arrested, however, he has not disputed that no prosecution witness has been examined so far.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the facts that petitioner is in judicial custody since 04.04.2018 and he is not involved in any other case and also considering the fact that conclusion of the trial is likely to take some time as no prosecution witness has been examined so far, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

October 23, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No