

S.No.215

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

CRM-M-36764 of 2018 (O&M)

Date of Decision:17.10.2018

Harsimran Singh

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Sant Pal Singh Sidhu, Advocate
for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.7 dated 07.01.2018 registered under Sections 392, 397, 365 IPC and 25 of Arms Act, 1959 at Police Station Sector-5, Panchkula.

Counsel for the petitioner contends that the petitioner has been involved in the case only on the basis of alleged disclosure statement of co-accused Dilraj, from whom the vehicles, snatched in the incident involved in the present case, have been recovered, while he was arrested in another case. Counsel further contends that there is no recovery from the petitioner. The co-accused Dilraj has been granted bail by this Court. Challan has already been filed. Charges have been framed. The petitioner is not required for any investigation purpose.

On the other hand, learned State Counsel has filed the custody certificate of the petitioner. On the basis of the custody certificate, learned counsel for the State, being instructed by ASI Vinod Kumar, has submitted

that there are as many as five more cases against the petitioner. The petitioner is not on bail in other cases.

In response to this, counsel for the petitioner has submitted that all these cases have been created by the Police after the petitioner was arrested in FIR No.549 dated 09.10.2017 at Police Station Sector-5, Panchkula.

Be that as it may, however, the fact remains that the main accused in the present case, from whom the vehicles have also been recovered, has been released on bail by this Court. Therefore, keeping in view the submissions made by counsel for the petitioner, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

October 17, 2018
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No