

Sr. No.218

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

**CRM-M-39355-2018
Date of decision:5.12.2018**

Rakesh @ Raka

.....Petitioner

versus

State of Haryana

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Ajit Sihag, Advocate
for the petitioner.

Mr. Vijesh Sharma, DAG, Haryana.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for seeking bail pending trial in FIR No.0043, dated 28.02.2018 for the offences punishable under Sections 307,120-B,34 IPC and 25/54/59 of Arms Act registered at Police Station Uklana, District Hisar.

Learned counsel for the petitioner contends that the petitioner has wrongly been involved in the case. The name of the petitioner has been roped in the present case only on the basis of the alleged disclosure statement of the co-accused. Otherwise, there is no other evidence against the petitioner. It is further contended that the alleged weapon of offence, as well as the vehicle used in the offence, both have been recovered from the other co-accused. There is no recovery from the petitioner as such. Petitioner is in custody since 25.03.2018. He is no more required for any other investigation purposes.

On the other hand, learned State counsel submits that the

petitioner had supplied the weapon used in the offence to his co-accused. However, he has not disputed that there is no other evidence against the petitioner except the disclosure statement made by the co-accused and that there is no recovery from him.

In view of the above, but without commenting upon the merits of the case, the petition is allowed. Petitioner is granted the concession of bail pending trial. He be released on bail pending trial subject to furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate.

5th December, 2018

Shivani Kaushik

[RAJBIR SEHRAWAT]

JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*