

Sr. No.212

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

**CRM-M-43907-2018
Date of decision:11.10.2018**

Mahender @ Balaky

.....Petitioner(s)

versus

State of Haryana

.....Respondent(s)

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Naveen Kashyap, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for seeking bail pending trial in FIR No.560 dated 21.06.2018 for the offences punishable under Sections 148,149,324,452,427,506 and 326(later on added) of IPC and Section 25 of the Arms Act, 1959(later on added) registered at Police Station Model Town, District Panipat.

Learned counsel for the petitioner contends that even as per the version of the prosecution, the petitioner is not named in the FIR. There is no recovery from the petitioner. The petitioner is in custody since 24.06.2018. Challan has already been filed in this case. Learned counsel further submits that co-accused has already been released on bail pending trial.

On the other hand learned State counsel, being instructed by ASI Surender Singh does not dispute the factum regarding the custody of the petitioner and the fact that the petitioner is not named in the FIR.

However, it is pointed out by the State counsel that as per the custody certificate, there are two other cases against the petitioner under Section 323 and other alike Sections.

In view of the above, without commenting on the merits of the case, the present 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.

11th October, 2018

Shivani Kaushik

**[RAJBIR SEHRAWAT]
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*