

217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44775-2018 (O&M)

Date of decision:16.10.2018

Hawa Singh @ Kalia and another ...Petitioners

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. H.S.Lohra, Advocate, for the petitioners.
Mr. Vikas Malik, DAG, Haryana.
Mr. Raman Chawla, Advocate for the complainant.

RAJBIR SEHRAWAT, J. (ORAL)

Prayer in this petition filed under Section 439 of Cr.P.C. is for grant of bail pending trial in case FIR No. 125 dated 20.05.2018 under Sections 148, 149, 323, 341, 379-B, 506 of IPC and Section 25 of Arms Act 1959, registered at Police Station Adampur, District Hisar.

Learned counsel for the petitioners contended that the petitioners are not involved in this case. It is further contended that the petitioners are not even named in the FIR. There is no recovery from the petitioners. The petitioner No.1 is in custody since 11.07.2018 and petitioner No.2 is in custody since 16.09.2018. The petitioners are not required for any investigation purposes. Challan has already been filed. There is no other case against the petitioners.

On the other hand, learned State counsel, being instructed by ASI Raj Pal Singh, does not dispute the fact regarding custody of the petitioners or the fact that there is no other case against the present petitioners. It is also not disputed that challan in this case has already been filed and the petitioners are not required for any investigation purposes.

In view of the above, but without expressing any opinion on the merits of the case, the present petition is allowed. The petitioners are ordered to be released on bail pending trial subject to their furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

16.10.2018
Hemlata

Whether speaking/reasoned	Yes / No
<i>Whether reportable</i>	<i>Yes / No</i>