

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

CRM-M No.46769 of 2017

Date of decision : 10.05.2018

Vakil

.....Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Ajay Singh Ghangas, Advocate for the petitioner.

Mr. Sanjay Kumar Saini, AAG, Haryana.

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DAYA CHAUDHARY, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.579 dated 25.10.2017 under Section 25/54/59 of the Arms Act, registered at Police Station Gannaur, Distt. Sonapat.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, whereas no offence is made out against him. The offence is triable by Magistrate and the petitioner is in custody since 25.10.2017. Learned counsel further submits that trial may take long time to conclude as only five witnesses have been examined out of total nine witnesses. No recovery is to be effected from the petitioner. Learned counsel also submits that the country-made pistols, which are

stated to be found from the petitioner belong to the co-accused who has not been arrested so far.

Learned State counsel has not disputed the custody period, however, he has opposed the bail.

Keeping in view the submissions made by learned counsel for the petitioner, as the offence is triable by Magistrate, the petitioner is in custody since 25.10.2017, only five witnesses have been examined out of total nine witnesses and trial will take long time to conclude, the present petition is allowed and the petitioner is directed to be released on regular bail to the satisfaction of the trial Court/Duty Magistrate, Sonapat.

10.05.2018

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No