

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.214

CRM-M-9022-2018 (O&M)

Date of decision : 12.03.2018

Kamil

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Vijay Kumar Sheoran, Advocate, for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.189 dated 10.10.2017, registered at Police Station Loharu, District Bhiwani, under Sections 399 and 402 IPC, Sections 18, 61 and 85 NDPS Act, 1985 and Section 25 of the Arms Act, 1959.

As per the prosecution version, secret information was received on 09.10.2017 that some persons are sitting on a vehicle and waiting to commit robbery. Based on that information, a raid was conducted and gang of about five people were arrested alongwith their weapons and 500 grams of liquid opium. Consequently, FIR was registered on 10.10.2017.

Learned counsel for the petitioner submits that the gang was arrested on the basis of secret information, although, no crime had been committed. Moreover, the petitioner was named on the basis of the statement of co-accused, namely, Sombir @ Tinu, who had stated that the petitioner used to supply deshi kattas to the gang as he was an iron-smith. However, after arrest of the petitioner, no incriminating evidence has been recovered from his residence. The petitioner has been in custody since

21.10.2017. The investigation in this case is complete and the challan has been presented in the Court.

Keeping in view the entire facts and circumstances of this case particularly the fact that investigation is complete and no recovery of fire-arms or any other incriminating material, has been effected from the premises of the petitioner, it would be just and appropriate to release the petitioner on bail during the pendency of the trial.

Accordingly, the petition is allowed. The petitioner-Kamil is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

12.03.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No