

S.No.213

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

CRM-M-424 of 2019 (O&M)

Date of Decision:25.03.2019

BajrangPetitioner

Vs.

State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. S.K. Bishnoi, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

Rajbir Sehrawat, J.(Oral)

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

Learned counsel for the petitioner submits that the case against the petitioner is fabricated for oblique reasons. However, even as per the case of the complainant, only simple injuries are alleged to have been caused to him. But just to make the case serious, an allegation of taking away of Rs.8,000/- has been levelled against the petitioner. The petitioner has been in custody since 21.11.2018. However, no alleged weapon of offence has been recovered from the petitioner. The only alleged recovery thrust upon the petitioner is of Rs.1200/-. Being recovery of currency notes, this is no recovery in the eyes of law. It is further contended that challan has already been filed. The petitioner is not required for any investigation purposes.

On the other hand, learned State Counsel, being instructed by

ASI Mahan Pal, submits that there are other cases as well against the petitioner. In this case also, recovery has been duly effected from the petitioner. However, it is not disputed that the petitioner is in custody since 21.11.2018. The challan already stands filed in this case.

As response to the argument of the learned State Counsel, learned counsel for the petitioner has submitted that the petitioner is on bail in all other cases, referred to by the State Counsel. The petitioner is not in custody in any other case; except the present one.

In view of the above, but without commenting any further upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

March 25, 2019
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No