

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

CRM-M No.13549 of 2019
DATE OF DECISION : 16th JULY, 2019

Lokesh & another

.... Petitioners

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Pardeep Goyal, Advocate for the petitioners.
 Mr. Vikas Malik, Deputy Advocate General, Haryana.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioners under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.251 dated 27.09.2018 registered under Sections 307, 452 read with Section 34 IPC and Section 25 of Arms Act, 1959 at Police Station Chhainsa, District Faridabad.

Learned counsel for the petitioners contends that the case against the petitioners is totally concocted. Rather, the complainant has misled the police authorities while making the complaint. The petitioners are not involved in any incident as alleged in the FIR. It is further contended that even as per the case of the complainant, no injury was caused to any person in this incident. It is also submitted that the petitioners are in custody since 03.10.2018. Challan has already been filed. Therefore, the petitioners are not required for any investigation purposes.

On the other hand, learned counsel for the State, being instructed by the police official, submits that the petitioners are involved

in heinous crime of making attempt to murder the complainant. It is also submitted that the petitioners are having other cases as well against them. Therefore, the petitioners are hardcore criminals. Hence, the petitioners do not deserve concession of bail. However, it is not disputed by the State counsel that in the present case no person has got any injury. It is also not disputed that the petitioners are in custody since 03.10.2018.

As response to the submissions made by learned counsel for the State, learned counsel for the petitioners submits that in the other case referred by the State counsel, the petitioners have already been released on bail. It is further submitted that, in fact, out of those three cases one more case was fabricated against the petitioners on the same date as is the date of the present case.

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

16th JULY, 2019
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>