

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

**CRM-M-33782-2019
Date of decision: 26.08.2019**

Shambu Nath

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Pankaj Bali, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 419 dated 23.05.2019, registered under Sections 398, 401 of the IPC and Sections 25, 54 of the Arms Act, 1959 at Police Station Civil Lines, Karnal.

Learned counsel for the petitioner submits as per the allegations in the FIR, the police collected information that Jaswinder s/o Vijay Pal, Gurmel s/o Sajjan Singh and petitioner Shambu Nath are armed with illegal weapons and are driving a motorcycle with intention to loot the vehicles coming from the side of Karnal City by giving signal from a torch and if a raid is conducted, the said persons can be apprehended red handed. The police, thereafter, nabbed all the aforesaid accused persons. On search, a torch was recovered from the petitioner and a country made pistol was recovered from co-accused Jaswinder.

Learned counsel for the petitioner further submits that the

petitioner has a clean record and he is not involved in any other case and he was working in a factory, from where he was picked up by the police and was involved in the present case.

Learned State counsel, on instructions from ASI Ilam Singh and on the basis of the custody certificate filed today in Court, has not disputed the fact that petitioner is not involved in any other case and he is in judicial custody since 27.05.2019 and the recovery effected from the petitioner is only of a torch.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody since 27.05.2019; he is not involved in any other case and also in view of the fact that trial is likely to take some time to conclude, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

26.08.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No