

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

105

**CRM-M-48428-2019
Date of decision: 11.12.2019**

Praveen

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Kunal Dawar, Advocate for the petitioner.

Mr. Arjun Singh Yadav, Asstt. A.G., Haryana

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.400 dated 20.06.2017 registered under Sections 392 read with Section 34 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 at Police Station Badshahpur, District Gurugram.

Learned State Counsel has appeared and opposed the bail application.

I have heard learned Counsel for the petitioner and learned State Counsel and gone through the record.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case. No recovery was made from him and the recovery of fire arms has been implicated on him. All his co-accused arrested in the case have been granted bail by the Courts of learned Additional Sessions Judges, Gurugram. Trial is likely to take long time. Therefore, the petitioner may be ordered to be released on regular bail.

On the other hand, learned State Counsel has argued that the petitioner in conspiracy assisted his co-accused in disposal of the looted articles and also supplied fire arms to them and recovery of five country made pistol was made from him. The petitioner is involved in 12 cases. However, learned State Counsel on instructions from Sub-Inspector Ram Niwas conceded that he has been acquitted in two cases and he is on bail in all other cases.

Keeping in view the facts and circumstances of the case, nature of allegations made against the petitioner and also parity with his co-accused but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

11.12.2019

Kothiyal

**(ARUN KUMAR TYAGI)
JUDGE**

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No