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

CRM-M-7094 of 2020

Date of decision: 24.02.2020

Rajpal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sanjeev Majra, Advocate for the petitioner.

Mr. Paramjeet Singh, AAG, Haryana.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of regular bail in case FIR No.186 dated 15.08.2017, under Sections 398, 401 of Indian Penal Code, 1860 and 25 of Arms Act, 1959 (for short 'Arms Act') registered at Police Station Sadar Panipat, District Panipat.

As per the allegations of the prosecution, on 15.08.2017, a secret information was received regarding presence of 6-7 young boys armed with weapons using white coloured Mahindra Car, in the area of Ganjbar-Khotpura Road, for looting the passerby. Accordingly, raid was conducted and upon suspicion, they were apprehended. Consequently one country-made pistol .315 bore was recovered from the possession of the petitioner.

Contentends that the petitioner is in custody since 15.08.2017 and out of total 15 prosecution witnesses, none has been examined. Also contends that report under Section 173 of Cr.P.C has already been submitted. Further contends that three of the co-accused namely, Rajiv, Rishikesh and Nafe Singh with similar allegations have already been granted the concession of bail pending trial by this Court on 21.02.2018, 18.5.2018 and 04.12.2018

respectively.

The above factual position is duly acknowledged by the learned State Counsel, on instructions from S.I- Ramesh Kumar, but opposed the prayer on the ground that illegal weapon was recovered from the possession of the petitioner.

Heard both sides and perused the paper-book.

Since the investigation is already over, three of the co-accused of the petitioner with similar allegations have been granted bail and trial is likely to take sufficient long time; therefore, further incarceration of the petitioner would not serve any purpose.

In view of the above, this petition is allowed. Petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

24.02.2020

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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No