

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

CRM-M-20361-2020 (O&M)

Date of decision: 01.10.2020

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...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Satish Chaudhary, Advocate for the petitioner.

Mr. Chetan Sharma, AAG, Haryana alongwith
ASI Devender Kumar.

ANIL KSHETARPAL, J. (ORAL)

The petitioner prays for bail pending trial in a criminal case arising from FIR No.104 dated 01.03.2020 registered under Section 398/401 of the Indian Penal Code, 1860 and Section 25/54/59 of the Arms Act, 1959, at Police Station Nuh, District Nuh.

As per the case of the prosecution, the petitioner alongwith his co-accused stopped a police vehicle with the intention to loot. It is claimed that the petitioner was apprehended with a iron rod whereas a pistol was recovered from the custody of Sahabuddin, a co-accused.

Learned counsel for the State has pointed out that the petitioner is also an accused in FIR No.19 of 2020 registered under Section 379-B, 420 and 34 of the Indian Penal Code, 1860.

The petitioner is in detention since 02.03.2020. Learned counsel for the petitioner contends that the case of the prosecution is improbable.

On conclusion of the investigation, the report of the police filed under Section 173 Cr.P.C. has already been filed. As regards the pendency of the FIR No.19, it may be noticed that the petitioner has been implicated in the afore-said case on the basis of a supplementary statement recorded on 13.03.2020.

Learned counsel for the State has admitted that apart from these two cases, the petitioner is not a person with criminal antecedents.

The conclusion of the trial is likely to take time.

Without commenting on the merits of the case and keeping in view the aforesaid facts, the petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, the present petition is allowed.

01.10.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No