

CRM-M-55380-2019

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

**CRM-M-55380-2019 (O & M)
Date of Decision: 19.02.2020**

Shokeen @ Kala

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr.Shiva Khurmi, Advocate for
Mr. Sarfraj Hussain, Advocate,
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARNARESH SINGH GILL, J.(Oral)

CRM-3131-2020

This is an application under Section 482 Cr.P.C. for addition of Section 13(2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Section 25 of the Arms Act, 1959 in the head-note and prayer-clause of the main petition.

Learned State counsel submits that he has no objection, if the present application is allowed.

In view of the above, the present application is allowed. The Registry is directed to add Section 13(2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Section 25 of the Arms Act,

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1959 in the head-note and prayer-clause of the main petition.

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Reply by way of affidavit of Sh. Virender Singh, HPS, Deputy Superintendent of Police, Bhiwani, has been filed in the Court today. The same is taken on record.

Through this petition, the petitioner seeks regular bail in case FIR No.132 dated 28.04.2016, registered at Police Station City Bhiwani, District Bhiwani, under Sections 307 and 34 IPC, Section 25 of the Arms Act, 1959 and Section 13(2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015.

Learned counsel for the petitioner submits that the petitioner has not been named in the FIR and has been entangled only on the disclosure statement suffered by co-accused, Haroon. No country-made pistol has been recovered from the petitioner. He further submits that the petitioner has been in custody since 30.01.2019.

Learned State counsel, on instructions from ASI Samay Singh, submits that out of 14 prosecution witnesses, 03 witnesses have been examined and the next date before the trial Court is fixed as 25.02.2020.

I have heard learned counsel for the petitioner and the learned State counsel.

The petitioner has been in custody since 30.01.2019. The trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the

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merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

19.02.2020
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

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