

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

CRM-M-8065-2021 (O&M)
Date of Decision:- 25.2.2021

Sunil Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amit Choudhary, Advocate, for the petitioner.

Mr. Ramesh K. Ambavta, AAG, Haryana,
assisted by ASI Mahabir Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered vide FIR No.22 dated 13.1.2020 under Sections 399/402 IPC and Section 25 of the Arms Act at Police Station Bhuna, District Fatehabad.
2. The allegations in nutshell are that the police received a secret information on 13.01.2020 to the effect that 5 young boys were planning to commit dacoity at a petrol pump and that they were present at Bhuna Sugar Mill. Pursuant to receipt of said information, a raid was conducted and 5 boys were apprehended at the spot, who were all carrying weapons. The petitioner, who was also apprehended at the spot, was found to be carrying a country made .32 bore pistol alongwith 3 cartridges.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that there is nothing to suggest that the petitioner and others were indeed planning to commit any dacoity.
4. Learning State counsel, while opposing the petition, has submitted that since all the 5 boys were found to be in possession of lethal weapons, no case for grant of bail is made out, particularly since the petitioner happens to be involved in 2 other cases. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 1 year and that trial is yet to commence.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case particularly the fact that the petitioner has already been behind bars since the last about 1 year and trial is yet to commence inasmuch as even the charges have not been framed so far, further detention of the petitioner will not serve any useful purpose.
7. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

25.2.2021

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No