

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

DECIDED ON: 13th September, 2021

(1) CRM-M-13538-2021

Dilip Kumar

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

(2) CRM-M-12907-2021

Gulam Rasool

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Manoj Pundir, Advocate for petitioners.

Ms. Geeta Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

These two petitions under Section 439 Cr.P.C. are filed seeking regular bail in case of FIR No. 349 dated 30.9.2020, under Section 394 IPC and Section 25 of Arms Act, 1959, registered at Police Station Chandimandir, District Panchkula. Final report/challan dated 9.11.2020, under Sections 394, 397 IPC and Section 28 of Arms Act, 1959 was filed but charges against petitioners are only under Section 397 IPC.

As per the allegations, the petitioners robbed cash from a VITA Booth. They fled away on a motor-cycle. During investigation, the motor cycle owned by Dalip Kumar was recovered and thereafter, the petitioners were nominated. No weapon was recovered, however, there was recovery of a toy pistol. This court vide orders dated 24.3.2021 and 6.4.2021 considering the fact that the petitioners are in custody since 4.10.2020, granted interim bail subject to furnishing of surety bonds.

Learned counsel for the petitioners submits that the petitioners are not involved in any other case. There is no allegation that the petitioners have indulged in any criminal activity during the interim bail. Learned counsel further submits that the trial is not progressing.

Learned State counsel opposes the prayer for grant of bail and submits that out of twelve witnesses, three have been examined.

Considering the facts and circumstances of the case in totality, the interim bail granted on 24.3.2021 (in CRM-M-12907-2021) and 6.4.2021 (in CRM-M-13538-2021) is made absolute.

Disposed of accordingly.

Photocopy of this order be placed on the file of connected case.

13th September, 2021

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>