

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

203

CRM-M No.18378 of 2021

DATE OF DECISION : 28th MAY, 2021

Vivek

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court

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Present : Mr. Aakash Dalal, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.822 dated 18.12.2019 registered under Sections 379-B & 34 IPC, 1860 and Section 25 of the Arms Act (Section 365 IPC, added later on) at Police Station Samalkha, District Panipat.

It is submitted by counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner is not involved in the incident as such. His name was involved in the case only on the basis of the disclosure statement of the co-accused. However, the said co-accused has already been granted bail pending trial by this court. The counsel has further submitted that there is no recovery from the petitioner except that the police had taken the currency notes from the petitioner to show a recovery of ₹1,600/-. It is further pointed out by the counsel that although there are some more cases against the petitioner, however, all

those cases were registered within a duration of about one month and the petitioner is already on bail in all those cases except in the one case registered in Gurugram.

Notice of motion.

Mr. Harish Rathee, Deputy Advocate General, Haryana, accepts notice on behalf of the State.

It is submitted by counsel for the State, being instructed by police official, that the petitioner is habitual offender. Several cases of similar nature have been registered against the petitioner. However, it is not disputed that the co-accused Pawan has been granted bail pending trial and that the petitioner is already on bail in all other cases except the one pertaining to the District Gurugram.

In view of the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

28th MAY, 2021
'raj'

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No