

In virtual Court

CRM-M-24399-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24399-2021 (O&M)
Date of decision: 27.08.2021

Dinesh Kumar

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. D.P.S. Bajwa, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.132 dated 10.05.2021 under Section 25 of Arms Act, registered at Police Station Sadar Kaithal, District Kaithal.

While granting interim bail to the petitioner, following order was passed by this Court on 30.06.2021: -

“...Counsel for the petitioner has argued that the FIR was registered on the statement of the Investigating Officer that while on a patrol duty, one white colour Swift car was stopped on the basis of suspicion. The occupants of the car disclosed their names as Munish (Driver), Rakesh, Rattan Singh and Sonu. On their personal search, a country-made pistol was recovered from Rakesh @ Master whereas one live cartridge was recovered from the other accused person. It is also submitted that the name of the

petitioner surfaced in the disclosure statement of Rakesh @ Master that he has purchased the alleged country-made pistol from the petitioner. It is further argued that the only allegation against the petitioner is the disclosure statement of the co-accused and it will be a debatable issue to be decided during the course of trial whether the disclosure statement of the co-accused is admissible against the petitioner or not as there is no other evident against him. Lastly, it is submitted that the petitioner is involved in one more case, however, he is on bail in the said case.

Notice of motion.

Ms. Tanushree Gupta, DAG, Haryana, who is present in the Court accepts notice on behalf of the respondent – State and submitted that the petitioner is involved in one more case under the Arms Act and one case under Section 307 and 323 IPC...”

Learned counsel for the petitioner submits that in compliance of the aforesaid order, the petitioner has joined the investigation and is no more required for further investigation.

Learned State counsel, on instructions from HC Balbir Singh, has not disputed the factual position and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 30.06.2021 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

27.08.2021

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No