

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

CRM-M-24928-2021

DECIDED ON: 7th JULY, 2021

SANDEEP

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Raman Chawla, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition under Section 439 of Cr.P.C. for regular bail in FIR No. 100, dated 6th April, 2021, under Sections 25/54 of Arms Act, 1959, registered at Police Station Agroha, District Hisar.

The facts in brief are that on 6th April, 2021 during routine patrolling on Adampur Road, Agroha, Surjit was checked. Upon his search, one country made pistol .315 bore was recovered from his right pocket, 38 cartridges of .32 bore were recovered from the left pocket of his jean and 29 cartridges of .315 bore were recovered from his bag. On his disclosure statement, petitioner was nominated stating to be a supplier of weapons.

Mr. Raman Chawla, Advocate appearing for the petitioner

submits that the petitioner was nominated on the disclosure statement of

the co-accused. No recovery was made and he was not apprehended from the spot. He relies upon the fact that the main accused Surjit was granted bail by the Sessions Court vide order dated 6th May, 2021.

Learned State counsel opposed the prayer for grant of bail stating that the petitioner is involved in two more cases.

The name of the petitioner surfaced in the disclosure statement; investigation is complete; challan stands presented; in spite of his custody no recovery was made from him; conclusion of trial is likely to take time, the main accused was granted the bail, no useful purpose would be served by keeping the petitioner behind the bars, the petitioner is granted bail. The bail would be subject to furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

7th JULY, 2021
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>