

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-4597-2022 (O&M)

Date of Decision:-19.9.2022

Balram @ Ballu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Pankaj Mehta, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.292, dated 27.6.2021, Police Station Meham, Rohtak, Haryana, under Sections 285, 34, 379-B of Indian Penal Code and Section 25 of Arms Act.
2. The FIR was lodged at the instance of Ajmer, wherein it is alleged that he is working at Kuldeep Gas Agency and that on 27.6.2021, when he alongwith Bintu were returning back after supplying gas filled cylinders on a tractor-trolley, then two young boys came on a motorcycle, who abused them and snatched their bag, which contained an amount of Rs.95,489/-.
3. Learned counsel for the petitioner submits that the petitioner is neither named in the FIR nor was ever arrested at the spot and came to be involved in the present case on the basis of his own disclosure statement, when he

came to be arrested in another FIR i.e. FIR No.302, dated 3.7.2021, Police Station Meham, under Section 25 of Arms Act, which would hardly carry any evidentiary value.

4. Opposing the petition, learned State counsel has submitted that in the present case, a recovery of an amount of Rs.22,000/- was effected from the petitioner apart from a blue coloured bag and a pen belonging to the complainant and a pistol as well. It has, however, been informed that the petitioner has been behind bars since the last about 1 year and 2 months and that none out of cited 18 PWs has been examined. It has also been informed that the petitioner happens to be involved in 3 other cases.
5. This Court has considered the rival submissions.
6. The admissibility and veracity of the evidence in the shape of disclosure statement of the petitioner himself would be debatable. In any case, the petitioner has been behind bars for a substantial period of about 1 year and 2 months. Conclusion of trial is likely to consume time as not even a single PW out of cited 18 PWs has been examined so far. In these circumstances, further detention of the petitioner will not serve any useful purpose. 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.

19.9.2022

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No