

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

218

CRM-M-16211 of 2022
Date of Decision: 07.07.2022

Rajender @ Rajender Kumar

..... Petitioner

Versus

State of Haryana.

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. P.K.Ganga, Advocate
for the petitioner.

Mr. N.S.Panwar, DAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition is a second petition under Section 439 of the Cr.P.C. for grant of regular bail to the petitioner in FIR No.307, dated 18.06.2021 under Sections 25(1) (a) and 25 (1b) a/54/59 of the Arms Act, registered at Police Station Azad Nagar, District Hisar.

Learned counsel for the petitioner has submitted that the petitioner is in custody from 19.06.2021 and thereafter the investigation of the case has been completed and three witnesses have also been examined. He submitted that it is a case of no injury and no recovery is to be effected

from the petitioner and the trial of the case may take long time and therefore, the petitioner may be considered for the grant of regular bail.

On the other hand Mr. N.S.Panwar, DAG, Haryana has opposed the grant of bail on the ground that it is a case where the police party apprehended the petitioner along with other co-accused from whom large number of arms and ammunitions were recovered. From one of the co-accused namely Subhash there was recovery of .32 bore illegal pistol from his trouser and two illegal pistols of .315 bore from his bag along with two live cartridges. From the petitioner when his bag was searched there were three illegal pistols of .315 bore and one rifle .12 bore along with two live cartridges were recovered.

The learned State counsel further submitted that although three witnesses have been examined in the present case but the petitioner does not deserve the concession of bail as there is an apprehension that in case he is released on bail then he may either abscond or may even repeat the offence and the magnitude of the case is very high. He further submitted that the petitioner is also involved in two more cases under Section 148, 149, 323, 549 and 506 out of which in one case he is under trial and in another case he has been acquitted.

I have heard learned counsels for the parties.

The petitioner is in custody from 19.06.2021 and the trial has already commenced. The apprehension expressed by the learned State counsel on the basis of the alleged recovery from the petitioner and the co-accused that in case he is released on bail then he may repeat the offence or may abscond from justice does carry weight. There has been alleged recovery of three illegal pistols and one rifle with two live cartridges from

petitioner and three pistols from other co-accused. The magnitude and seriousness of allegations would also disentitle the petitioner for grant of bail.

Therefore, considering the facts and circumstances of the present case this court is of the view that the petitioner does not deserve the concession of regular bail.

Consequently, the present petition is hereby dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition

(JASGURPREET SINGH PURI)

JUDGE

07.07.2022

Sunil Devi

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |