

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

CRM-M-17055-2022

Date of Decision: August 08, 2022

Kuldeep @ Ratha

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present:- Mr. Lalit Singla and Ms. Varsha Sharma, Advocates
for the petitioner.

Ms. Geeta Sharma, Deputy Advocate General, Haryana.

AVNEESH JHINGAN, J.(Oral)

This is the third petition for grant of regular bail in FIR No. 202 dated 31.08.2021, under Sections 25 and 29 of the Arms Act, 1959, registered at Police Station Sadar Ratia, District Fatehabad.

The earlier two petitions were dismissed with liberty to revive the prayer at a later stage.

Learned counsel for the petitioner submits that now the charges have been framed.

The brief facts are that on 31.08.2021, Buta Singh was apprehended by the police. Two pistol .32 bores and 6 live cartridges were recovered. He disclosed that Binder Singh @ Balwinder Singh had supplied one pistol and four cartridges. Binder Singh @ Balwinder Singh disclosed that Kuldeep Singh @ Ratha (petitioner) had supplied one pistol and four cartridges.

Learned counsel for the petitioner submits that the petitioner is in custody since 15.09.2021. He was named in a disclosure statement.

No recovery was made from him. He further submits that this is a case of false implication due to the petitioner's involvement in other FIRs.

Learned State counsel opposes the prayer and submits that the petitioner was specifically named by the co-accused and he is a habitual offender.

Without commenting upon the merits of the case, having the conspectus of the facts, that no recovery was made from the petitioner; though the investigation is complete, charges have been framed but conclusion of trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

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

August 08, 2022

sarita

(AVNEESH JHINGAN)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No