

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

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**CRM-M-45456-2021 (O&M)
Date of Decision: 01.02.2022**

AMAN AND ANOTHER

... Petitioners

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Mohit Bishnoi, Advocate
for the petitioners.

Mr. Surender Singh, AAG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioners seek regular bail in case bearing FIR No.56 dated 21.03.2021 (Annexure P-1), registered under Sections 398, 401 IPC and Section 25 of the Arms Act, at Police Station Bhuna, District Fatehabad, Haryana.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case and that there is no written information regarding the alleged secret information, on the basis of which the petitioners were apprehended. He further submits that the petitioners have been in custody since 21.03.2021.

On the other hand, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel submits that the petitioners are the persons of criminal antecedents and habitual offenders, inasmuch as, there are

02 (two) and 05 (five) more cases registered and/or pending against petitioners No.1 and 2, respectively. He further submits that the petitioners were apprehended on the spot and recovery of country made pistol and live cartridges were effected from them.

While controverting the aforesaid submission made by learned State counsel, learned counsel for the petitioners submits that as far as the other cases registered and/or pending against the petitioners are concerned, they are on bail in all the cases.

I have heard the learned counsel for the parties.

As per the prosecution case, on 20.03.2021, on the basis of a secret information, police party, in a car, reached the spot. On reaching there, the petitioners came in front of the car with an intention to rob the passengers and had pointed pistols upon them. However, on seeing the Police party in the said car, they both tried to run away but were apprehended at the spot. Recovery of one loaded pistol .315 bore, each and one live cartridge was effected from the petitioners. Further the allegation against the petitioners are serious and specific in nature. Thus, no ground is made out to grant the concession of regular bail to the petitioners.

Dismissed.

01.02.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned

: *Yes/No*

Whether reportable

: *Yes/No*