

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

CRM-M-44585-2021
Date of Decision:-25.04.2022

SANDEEP ALIAS BOXER	Versus	... Petitioner
STATE OF HARYANA		... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Jasbir Mor, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.72 dated 20.4.2021 registered under Sections 392, 394, 34 IPC and Section 25 of Arms Act at Police Station Pillukhera District Jind.

Custody certificate filed by learned State counsel is taken on record.

The counsel for the petitioner contended that the petitioner was nominated as an accused in the present only on the basis of alleged disclosure made by co-accused. The counsel further contended that thereafter the petitioner was arrested on 7.7.2021 and is presently lodged in judicial custody. The counsel further contended that the FIR in the present was registered on the basis of statement of complainant-Rakesh, who while appearing in the trial Court failed to support the case of prosecution as is

apparent from the copy of statement dated 5.4.2022 which has been placed on the petition.

Mr. Sunil Kumar Goswami, Advocate has put in appearance on behalf of the complainant and filed power of attorney, which is taken on record.

The counsel for the complainant has not refuted the fact that while appearing in the witness box complainant has not identified the present petitioner.

The State counsel has not refuted the fact regarding arrest of the petitioner in the present case, who was arrested on 7.7.2021.

As per the prosecution version no fire arm or any other incriminating article was recovered from the possession of the petitioner except for currency notes worth ₹600/-.

In the light of the above, no purpose is going to be served by keeping the petitioner in custody for any longer period. Thus without commenting on the merits of the case the present petition is hereby accepted and the petitioner is ordered to be released on regular bail subject to his furnishing bail and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

25.04.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No