

CRM-M-12414-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-12414-2023

Date of decision: 31.07.2023

Aman

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Mohit Bishnoi, Advocate,
for the petitioner.

Ms. Ankita Ahuja, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this third petition, the petitioner seeks regular bail in case FIR No.56 dated 21.03.2021, registered at Police Station Bhuna, District Fatehabad, under Sections 398 and 401 IPC and Section 25 of the Arms Act, 1959.

Learned counsel for the petitioner submits that acting on a tip-off, the police party had laid a *Naka*; that the petitioner alongwith the co-accused was arrested and recovery of one countrymade pistol and one live cartridge had been effected from the petitioner. It is further submitted that the petitioner has been in custody since 21.03.2021, and that prosecution witnesses are yet to be examined. So far as other cases registered or pending against the petitioner, are concerned, he has been released on bail therein.

On the other hand, learned State counsel, while opposing the

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grant of bail to the petitioner, submits that the petitioner alongwith the co-accused was apprehended at the spot and that recovery of one countrymade pistol and one live cartridge had been effected from him. It is further submitted that the petitioner is a habitual offender; that one of the accused is yet to be arrested and that material prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 21.03.2021. Recovery had been effected in the present case. The prosecution witnesses are yet to be examined. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

31.07.2023

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No