

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

229 (B)

CRM-M-47169-2023
Date of Decision.:16.10.2023

Rizwan
Vs.
State of Haryana

.....Petitioner

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sandeep Saini, Advocate
for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.86 dated 12.03.2023 registered under Section 397 & 201 of the IPC (Section 25 of Arms Act added later on) registered at Police Station Mullana, District Ambala.

2. FIR was lodged on the complaint of Hoshiar Singh as per which on the night of 11.03.2023, three unknown persons entered in his poultry farm and on the point of a pistol took away his cocks/roosters.

3. Learned counsel for the petitioner contends that petitioner is not named in the FIR and only attribution to the petitioner is that he was present at the spot and that recovery of ₹3500/- was effected from him. Learned counsel further contends that co-accused Sameer Hasan, Aadil and Hussain have already been allowed bail by this Court vide Annexure P-3 to Annexure P-5 and case of the petitioner is on better footing.

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4. Status report by way of an affidavit of Shri Anil Kumar HPS, Deputy Superintendent of Police, Barara along with custody certificate has been filed on behalf of respondent- State.
5. Learned State counsel opposed the bail petition on the ground of criminal antecedents of the petitioner as he is involved in numerous cases.
6. As per the custody certificate, petitioner is in custody for the last 04 months and 20 days and involvement of the petitioner in another cases cannot be a ground for not granting bail to him.
7. Having regard to all the aforesaid facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

October 16, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No