

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

CRM-M-47603-2023

Date of Decision:20.12.2023

Insar @Ansar

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Saurav Bhatia, Advocate
for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.PC with a prayer to grant regular bail to him in case FIR No. 72 dated 28.04.2023, registered under Sections 419,420 of IPC and Section 25 of Arms Act and later on added Sections 467,468,471,204 and 120-B of IPC Police Station Bicchor, District Nuh (Mewat) (Annexure P-1).

2. Learned counsel for the petitioner contends that the FIR in the present case was registered against the petitioner and other co-accused on the basis of a secret information. The petitioner, Nisar and Ikhlas were arrested by the police and present case was registered against them. Learned counsel for the petitioner contends that similarly placed co-accused Nisar and Ikhlas have already been granted the concession of bail by the Court of Sessions Judge, Nuh on 04.09.2023. He further contends that the recovery has already been effected and after completion of the investigation, challan has already been presented against the present petitioner. Learned counsel next contends that the petitioner was arrested in the present case on 28.04.2023 and is in custody for the last 08

months.

3. On the other hand learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the petitioner was apprehended by the police and one pistol, Rs.94,000/- in cash, one laptop, five mobile phones and nine mobile sims were recovered from the present petitioner.

4. I have heard the learned counsel for the parties and perused the case file.

5. It is not in dispute that the similarly placed co-accused Nisar and Ikhlal have already been granted the concession of bail by the Court of Sessions Judge, Nuh on 04.09.2023. The petitioner is in custody for the last about 08 months and no purpose will be served by keeping him behind the bars.

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

(N.S.SHEKHAWAT)
JUDGE

20.12.2023
hitesh

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No