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

CRM-M-52647-2023
Date of decision : 08.11.2023

RAHUL KUMAR

....Petitioners

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Amit Agnihotri, Advocate
for the petitioner.

Mr. A.K. Sehrawat, DAG, Haryana.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.464 dated 22.07.2023 registered for the offences punishable under Sections 25, 25(6), 54, 59 of the Arms Act read with Section 201 IPC at Police Station Shahbad, District Kurukshetra.

2. Custody Certificate of the petitioner has been filed today in Court. The same is taken on record.

3. As per the contents of the FIR the allegations against the petitioner is of having been found in possession of firearms without licence. The prosecution apprehends that the petitioner is engaged in supply of arms to the criminal syndicates. Counsel for the petitioner however submits that

the petitioner is behind bars for more than 3 months and 15 days. Investigation already stands concluded and challan stands presented and thus there can't be any apprehension that the petitioner shall tamper with the evidence. The petitioner has clean antecedents as there is no other case pending against him.

4. State Counsel does not dispute the aforesaid factual assertions made by counsel for the petitioner which are based on record.
5. I have heard counsel for the parties and have gone through records of the case.
6. In view of above, without commenting on the merits of the case, keeping in view the incarceration already suffered by the petitioner and the fact that the investigation already stands concluded and Challan stands presented, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.
7. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

November 08, 2023
Dpr

(Pankaj Jain)
Judge

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