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IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-40872-2024 (O&M)  
Date of Decision:- 04.10.2024

ROBIN

Versus

....Petitioner(s)

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Ms. Manpreet Kaur, Advocate for  
Mr. Siddharth, Advocate for the petitioner.

Mr. Ramender Singh Chauhan, AAG Haryana.

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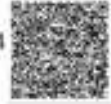
**SANJIV BERRY, J. (ORAL)**

Status report dated 03.10.2024 filed in the form of an affidavit of Deputy Superintendent of Police, Shahabad Kurukshetra, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. Heard.
3. The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

| FIR No. | Dated      | Sections           | Police Station                   |
|---------|------------|--------------------|----------------------------------|
| 427     | 06.07.2023 | 25 of the Arms Act | Shahabad Kurukshetra,<br>Haryana |

4. It is, *inter alia*, contended by learned counsel for the petitioner

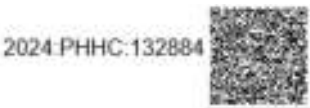


that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner is in custody since 06.07.2023 and a false case has been planted upon him on the basis of alleged recovery of one country-made pistol and 2 live cartridges. He contends that challan has already been presented in Court and the trial is moving at a snail's pace. He submits that the conclusion of trial will sufficient long time, hence, prayed for grant of concession of bail to the petitioner.

5. *Per contra*, learned State counsel while referring to the status report submitted by the State has contended that the petitioner was found in possession of one country-made pistol and 2 live cartridges when apprehended by the police. He submits that the petitioner is an active participant of the gangs running organized crime syndicate in the area, hence prayed for dismissal of the petition.

6. After considering the rival contentions and perusing the record, it transpires that admittedly the petitioner is in custody since 06.07.2023 on the allegation of having found in possession a country made pistol and 2 live cartridges. There are allegations of his involvement in the gang being operated in the area. After the completion of investigation, challan has been presented in the Court of Magistrate. The criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

7. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on



bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

9. Pending miscellaneous application(s), if any, stand disposed of.

(SANJIV BERRY)  
JUDGE

04.10.2024  
S.Sharma(syr)

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|-----|----------------------------|--------|
| i)  | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable?        | Yes/No |