

Abid Vs State of Haryana

Abid Vs State of Haryana

SooperKanoon Citation : sooperkanoon.com/917365

Court : Punjab and Haryana

Decided On : May-03-2011

Judge : Alok Singh. J.

Acts : Arms Act - sections 392, 397,395,412,

Appeal No. : CRM-M-6167 of 2011 (O&M)

Appellant : Abid

Respondent : State of Haryana

Judgement :

1. Present petition is filed seeking regular bail in case FIR No.246 dated 26.7.2009 under Sections 392/397 IPC and Section 25 of Arms Act (Sections 395/412 IPC and Sections 54 and 59 Arms Act added subsequently), Police Station Kundli, District Sonapat. Learned counsel for the petitioner states that petitioner has been in custody since 3.8.2009.

2. Mr. Gaurav Dhir, learned Deputy Advocate General, Haryana, has stated that all the prosecution witnesses have been examined except the one witness i.e owner of the vehicle, who can be examined at any time, therefore, this is not the stage to enlarge the petitioner on bail. Learned counsel for the petitioner, while taking me to Annexure P-6 page 31 has argued that even at the time of disposal of CRM-M-6167 of 2011 (O&M;), bail application of Faisal by this Court vide order dated 17.2.2011, same arguments were advanced by learned State counsel that entire

evidence would be concluded on 15.2.2011, however, it was not done. Learned counsel for the petitioner has stated that despite of several dates fixed thereafter, prosecution has failed to conclude the evidence Co-ordinate Bench of this Court has granted bail to co- accused Faisal vide order dated 17.2.2011 on the ground that prosecution has failed to conclude the evidence. Considering totality of the facts and circumstances of the case, petition is allowed. Let petitioner be released on bail to the satisfaction of the learned Trial Court.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com