

CRM-M-26928-2023**RAKESH VS. STATE OF HARYANA**

Present: Mr. Mayur Karkra, Advocate
for the petitioner.

Mr. Rahul Mohan, Senior Deputy Advocate General, Haryana.

Learned counsel appearing for the petitioner, inter alia, contends that the petitioner is innocent and has been falsely implicated in the case in hand on the basis of an alleged disclosure statement made by co-accused Kapur alias Golu, who too had been nominated as an accused on the basis of a disclosure statement made by accused Bhagat Singh, who was nabbed by the police along with the recovered arms and ammunition (.32 bore and two live cartridges were taken vide seizure memo). Learned counsel submits that there was no material on record which could link the petitioner with the alleged recovery other than the disclosure statement, which admittedly does not have much evidentiary value. It has been submitted that the trial Court, while declining the concession of bail to the petitioner, had wrongly noticed that there were as many as six criminal cases pending against him, whereas fact of the matter was that he already stood acquitted in five of the six cases registered against him.

Learned State counsel, however, has sought an adjournment to get necessary instructions qua the criminal antecedents of the petitioner and also with respect to the status of the other criminal cases which stand registered against the petitioner.

On his request, adjourned to 20.09.2023.

July 12th, 2023**(MANJARI NEHRU KAUL)
JUDGE**