

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

CRM-M No.1253 of 2015(O&M)

Date of Decision :22.01.2015

Rafiq

.....Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr.Kunal Dawar, Advocate
for the petitioner.
Mr.S.P.Singh,DAG, Haryana.

- i. Whether Reporters of local papers may be allowed to see the judgment?
- ii. To be referred to the Reporters or not?
- iii. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition for anticipatory bail filed in case bearing FIR No. 686 dated 28.10.2014, under Section 406 IPC, registered at Police Station Sector 10, Gurgaon, Distrit Gurgaon, Haryana.

The allegation was that the petitioner took the three wheeler of the complainant and did not return it.

Learned counsel has argued that the very fact that the complaint was filed after more than 2 ½ months itself shows that the complainant has not come to the Court with clean hands because if his three-wheeler (which was his source of earning) was taken away he would not have waited for 2 ½ months to lodge the complaint. Even otherwise as per learned counsel even the FIR shows that the dispute is with regard to money.

In the circumstances I do not deem it appropriate to deny bail to the present petitioner. In the event of his arrest, the petitioner shall be released on bail to the satisfaction of the investigating officer subject to the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

Since the main case has been decided, the Criminal Misc.Application, if any also stands disposed of.

(AJAY TEWARI)
JUDGE

January 22, 2015
sunita