

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-13522 of 2015

Date of Decision: January 5, 2016

Narender

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

-.-

Present:- Mr.D.K. Tuteja, Advocate
for the petitioner.

Mr. Vikramjit Singh, Addl.A.G., Haryana

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M.M.S. BEDI, J. (ORAL)

Petitioner seeks the concession of pre-arrest bail in a case of theft of Bolero Vehicle on the complaint of Rajinder Joshi. He has alleged that on September 7, 2012 someone has committed theft of his Bolero vehicle which was parked outside his plot. The petitioner has been involved on the basis of the statement of Kamaal and Subedar, who were arrested. It is alleged that in their statement they had said that the vehicle was purchased by the petitioner by giving advance money of Rs.50000/- Offence under Section 379 IPC qua the petitioner prima facie is not made out.

ASI Anil Kumar has stated that the petitioner has joined investigation. The petition has been opposed on the ground that the vehicle is yet to be recovered. It is pertinent to observe here that without the stolen vehicle having been recovered, the petitioner has been involved in the case on the basis of the statements of two persons who are accused. The evidentiary value of their testimony will certainly be a moot point during trial. The antecedents of the petitioner have been checked from the investigating officer.

It appears that the petitioner has not been involved in any other case of similar nature.

In view of the said circumstances, the petition is allowed and it is ordered that in case of arrest of the petitioner he will be released on bail to the satisfaction of the arresting officer subject to the conditions that the petitioner will join investigation as and when required by the police and that he will not tamper with the evidence or hamper the investigation in any manner.

January 5, 2016
sanjay

(M.M.S.BEDI)
JUDGE