

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.3388 of 2016

Date of Decision:-27.02.2016

Akshay & Anr.

.....Petitioners.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. H.N. Sahu, Advocate for the Petitioners.

Mr. Gaurav Dhir, Deputy Advocate General, Haryana
assisted by ASI Rambir.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioner Akshay & Vikrant in case FIR No.73 dated 11.02.2015 for offences punishable under Sections 379, 120-B, 420, 467, 468, 471, 413 of Indian Penal Code registered with Police Station Ganaur, Sonapat.

As per allegations both the petitioners had stolen a car bearing no.HR42-C-6551 belonging to the complainant Surender Jain and are stated to be involved in stealing the cars and selling them by changing chasis and engine number of such stolen cars.

It is contended that a false case has been foisted upon the petitioners as accused Vikrant had lodged an FIR in District Panipat on

18.12.2014 against the SHO Manesh Kumari for offences punishable under Sections 365, 327, 465, 471, 120-B IPC and Arms Act resulting into the police becoming inimical towards him. That apart it is submitted that the petitioners are on bail in all the cases registered against them and in the present case they are stated to be in custody since 15.7.2015/18.08.2015 and the challan already stands presented. It is further contended that the case is exclusively triable by a magistrate.

Learned State Counsel assisted by ASI Rambir is unable to refute the fact that the petitioners are on bail in all the other cases registered against them. He also does not dispute the custody period and that the evidence of 15 cited witnesses is yet to commence.

Without going into the merits of the case, keeping in view the custody period, challan presented and the fact that the trial is not likely to be concluded in near future, present petition is allowed and the petitioners namely Akshay and Vikrant are ordered to be released on bail to the satisfaction of learned CJM/Duty Magistrate, Sonapat.

Petition stands disposed of.

**(JASWANT SINGH)
JUDGE**

February 27, 2016
Vinay