

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

Sr. No.212

**CRM NO. M-44674 of 2016
DECIDED ON: December 22, 2016**

VIJAY

..PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Virender Kumar, Advocate,
for the petitioner.

Ms. Neelam Kashyap, DAG, Haryana.

JASPAL SINGH, J. (ORAL)

By virtue of the instant petition preferred under Section 439 Cr.P.C., petitioner – Vijay has sought the concession of bail, in case bearing FIR No.87, dated March 28, 2016, under Sections 379, 411, 420, 467, 468, 471, 473, 120-B IPC, registered at Police Station Pinjore, District Panchkula.

The allegation against the petitioner is that he tampered with engine number and chassis number of the canter involved in the instant case. Besides, it has also emerged during disclosure statement, 10 other persons were also tampered with engine number and chassis number and further that punching machine was recovered from the possession of the petitioner. The canter, of which, engine number and chassis number has been tampered by the petitioner was recovered from the possession of Raj Kumar @ Raju who has already been granted the concession of bail by this

Court vide order dated December 02, 2016 passed in CRM No.M-40130 of 2016 captioned as 'Raj Kumar @ Raju Vs. State of Haryana'.

Undoubtedly, the name of the petitioner does not figure in the FIR and he has been nominated as an accused only on the basis of disclosure statement alleged to have been suffered by his co-accused namely Raj Kumar @ Raju. Petitioner was arrested in this case on September 05, 2016 and after subjecting his custodial interrogation, he was remanded to the judicial custody meaning thereby his custody was no more required. Even otherwise, the challan has already been presented, in which the petitioner is facing the trial, which is not likely to be a short span of time. Another co-accused namely Rajesh @ Kala has also granted the concession of bail by this Court vide order dated October 27, 2016 passed in CRM No.M-37012 of 2016 captioned as 'Rajesh @ Kala Vs. State of Haryana'. The case of the petitioner is not a different footings that his co-accused named above.

Taking into aforesaid aspects and without expressing any opinion on the merits of the case, instant petition stands allowed. Petitioner is already been ordered to be released on bail to the satisfaction of the trial Court/Duty Magistrate.

December 22, 2016

Ankur

**(JASPAL SINGH)
JUDGE**

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No