

Sr. No.216

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-4685 of 2017 (O&M)

Date of Decision: 16.02.2017

Vijender Singh and another

... Petitioners

Versus

State of Haryana and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. M.S.Khillan, Advocate,
for the petitioners.

Mr. Satish Saini, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioners seek benefit of regular bail pending trial in case FIR No.30 dated 14.01.2017, under Section 379-B of IPC, registered at Police Station Assandh, District Karnal.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Rajesh Kumar who claimed to be a driver of a commercial vehicle.

Allegations are that on 14.01.2017, two-three young boys in a Swift Car bearing registration No. HR-05-AM-7411 accosted the petitioners and under fear of threat had taken away the commercial truck.

Petitioners were arrested on 14.01.2017.

Even though the matter is under investigation, counsel would submit that petitioner No.1 is sought to be implicated on the basis that he is the owner of the Swift Car whose registration number had been furnished by the complainant. Insofar as petitioner No.2 is concerned, he is sought to be

implicated only on the basis that he is the brother of petitioner No.1.

Learned State counsel does not dispute the fact that vehicle in question was recovered on the same very date and from a short distance.

Counsel has even adverted to an affidavit of the complainant and placed on record at Annexure P-2 wherein the complainant has deposed that FIR had been got registered on account of some misunderstandings. This would lend credibility to the version put forth by counsel appearing for the petitioners that it was actually a case of a vehicular accident between the truck and the car and which had led to the filing of a false complaint at the hands of the complainant.

In an overview of the matter, petitioners are held entitled to the benefit of bail. Petition is allowed.

Petitioners be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Karnal.

Disposed of.

16.02.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No