

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

CRM-M No.6853 of 2017
Date of Decision: 07.03.2017

Jaswinder Singh
Versus

.....Petitioner

State of Haryana

... Respondent

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Rakesh Gupta, Advocate
for the petitioner.

Mr. P.P. Chahar, DAG, Haryana.

RAJ MOHAN SINGH, J.(ORAL)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.297 dated 14.12.2016 registered under Sections 420, 406, 384, 182, 120-B IPC at Police Station Parao, District Ambala.

In the initial version of FIR, petitioner was shown to be driver of the complainant who got the complainant introduced with the prospective vendor of Careta car. The initial version of the FIR was found to be false by the prosecution itself during course of investigation. It was found that during course of investigation, Gurdev Singh @ Kaka, Raghbir Singh, Jaswinder Singh, Rakbir Singh and Baldev Singh were arrested on the basis of secret information. Careta car was recovered from Gurdev Singh @ Kaka, Raghbir Singh and Jaswinder Singh. Offence under Section 171 IPC was not found to have been committed in the case as the police officials in the case were found to be actual police officials. No monetary transaction between the complainant and the accused persons

regarding purchase of Careta car was found to have existed. A false story regarding the purchase of Careta car was concocted by the complainant in order to save huge black money from income tax. Offence under Section 171 IPC was deleted and offences in terms of Sections 384, 182, 120-B IPC were added. Accused namely Gurdev Singh @ Kaka, Raghbir Singh, Jaswinder Singh, Rakbir Singh and Baldev Singh are alleged to have made their confessional statements and also got conducted the demarcation of the place of occurrence. Some amount was also recovered from the aforesaid persons. An amount of Rs.40,000/- is alleged to have been recovered from the petitioner.

Looking to the contradictory prosecution version, I deem it appropriate to grant regular bail to the petitioner who is in custody since 16.12.2016 particularly when the complainant himself was arrayed as one of the accused at a subsequent stage has since been granted bail by the trial Court.

Let the petitioner be enlarged on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

07.03.2017

prince

Whether Reasoned/Speaking**Whether Reportable****(RAJ MOHAN SINGH)
JUDGE****Yes/No****Yes/No**