

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

CRM M-15104 of 2018

Date of decision : 02.05.2018

Dilbagh Singh

...Petitioner

V/s

State of Haryana

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sunny Bhardwaj, Advocate for the petitioner.

Mr. Chetan Sharma, AAG Haryana.

RAJAN GUPTA J.

Petitioner seeks concession of pre-arrest bail in a case registered against him under sections 379, 120-B & 411 IPC vide FIR No. 180 dated 21.08.2010 at police station Civil Lines, Bhiwani. It has been contended before the court that petitioner is not named in the FIR. He has been arraigned as an accused on the basis of disclosure statement of co-accused. According to learned counsel, petitioner has been falsely implicated in the case. He, thus, deserves the concession of pre-arrest bail. Learned State counsel has opposed the prayer on the ground that petitioner has been declared a proclaimed offender. According to him, recovery of stolen vehicle is yet to be effected.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was lodged on the basis of complaint made by Driver Kiran Parkash, DPRO, Department, Bhiwani. He stated that on 20.08.2010 in the evening, he parked the official vehicle bearing registration no. HR16G-9000

in the garage outside the office and deposited the keys in the office. However, the same was stolen. After registration of FIR, investigation ensued. During the course of investigation, accused Deepak was arrested by the police. He made a disclosure statement that he alongwith other accused had sold the stolen vehicle to Dilbagh Singh (petitioner herein) and one Surender Pandit. Thereafter, accused Surender suffered a disclosure statement wherein he stated that the stolen vehicle had been purchased by him and Dilbagh Singh (petitioner) and the same was still in possession of the Dilbagh Singh. Stand of the investigating agency before this court is that custodial interrogation of the petitioner is required for the recovery of the stolen vehicle.

Keeping in view the nature of allegations and the fact that petitioner never submitted to the process of law and is a proclaimed offender, I am of the considered view that no case for grant of bail to the petitioner is made out. Dismissed.

May 02, 2018

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No