

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

Sr. No.217

CRM-M-5137 of 2019

DECIDED ON: February 07, 2019

BIJENDER

..PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. N.S. Shekhawat, Advocate, for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks grant of regular bail in case FIR No. 396 dated 22.08.2018 registered under Sections 395, 397, 201 IPC and Section 25 of Arms Act, 1959, at Police Station Sector 18, Gurugram.

Learned counsel for the petitioner submits that the present FIR has been registered on account of Tavera vehicle of the complainant having been allegedly snatched on 22.08.2018. The said vehicle was recovered on 28.08.2018 at Bahadurgarh and FIR No.522, dated 28.08.2018 was registered at Police Station City Bahadurgarh under various provisions of law. The persons accused in the said FIR suffered disclosure statements and implicated the petitioner as one of the persons involved in the incident on 22.08.2018. The petitioner has been granted bail in FIR No.522, dated 28.08.2018 and apart from the disclosure statement of co-accused, there is

CRM-M-5137 of 2019

no evidence to link the petitioner with the present FIR. The investigation is complete but the trial is not likely to be concluded at an early date. Thus, regular bail may be granted to the petitioner.

Custody certificate dated 06.02.2019 prepared by Sh. Mohmed Sazeed Khan, DSS, Deputy Superintendent, District Prison, Gurgaon, Haryana has been filed in Court. The same is taken on record. According to the custody certificate, the petitioner has undergone actual custody of 04 months and 25 days and only one FIR No.522, dated 28.08.2018 pending against him in which he has already been granted regular bail.

The factual submissions made by learned counsel for the petitioner have not been controverted by learned State counsel.

Keeping in view the facts and circumstances of this case as well as the fact that the trial is not likely to be concluded at an early date, I deem it just and appropriate to release the petitioner on regular bail. Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned, at Gurugram.

February 07, 2019

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No