

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-8881-2019  
Date of decision: 05.03.2019

Arvind

... Petitioner

Vs.

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present: Mrs. Baljit Mann, Advocate  
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

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**ARVIND SINGH SANGWAN, J. (ORAL)**

Prayer in this petition is for grant of regular bail in FIR No.220 dated 12.09.2017 under Section 395 IPC, registered at Police Station Bhattu Kalan, District Fatehabad.

Learned counsel for the petitioner submits that as per the version given in the FIR, the incident took place on 01.09.2017, when the complainant was going in his Swift Car bearing registration No.HR-24-S-7772 to his village, a Bolero camper vehicle intercepted him and many persons, including Subhash @ Channi and one Urbin @ Kundu i.e. the petitioner, whose name is Arvind, were sitting and after giving beating to the complainant, they snatched his Swift Car, mobile phone, some cash and his driving licence along with other documents of the car. It is further submitted that the FIR was registered after a long delay of 07 days and there is a motive for false implication of the

petitioner, as he is licensed liquor contractor of the area, whereas complainant Prem Kumar is selling illegal liquor in that area and there is business rivalry between them. Learned counsel further submits that two co-accused of the petitioner namely Suresh @ Kalu, from whom Bolero camper vehicle was recovered and Iqbal Khan, from whom recovery of Swift Car was effected, have already been granted the concession of regular bail by the trial Court.

Learned counsel for the petitioner has further submitted that recovery from the petitioner is of a stick and Rs.500/- and even documents of the swift car were recovered from his co-accused. It is further argued that on 08.09.2017, complainant Prem Kumar also made statement with regard to another FIR No.114 dated 08.09.2017 registered under Sections 148, 149, 302, 458, 323 IPC and Section 25 of Arms Act, in which the petitioner was also named as one of the co-accused. It is further submitted that the petitioner has already been granted the concession of regular bail in the aforesaid FIR No.114 by this Court vide order dated 07.02.2019 passed in CRM-M-49709-2018. Learned counsel has thus argued that naming the petitioner after 07 days of the incident, is a calculated move to involve him in the present FIR.

Learned counsel for the petitioner has next submitted that the petitioner is in custody since 06.10.2017, challan has been presented and two prosecution witnesses have already been examined.

Learned State counsel, on instructions from ASI Subhash Chander, has not disputed the factual position and submits that the case is now fixed for recording the further prosecution evidence.

Without commenting anything further on merits of the case, considering the submissions made by learned counsel for the petitioner and also

in view of the fact that two co-accused of the petitioner namely Suresh @ Kalu and Iqbal Khan have already been granted the concession of regular bail, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

Petition is disposed of.

**[ ARVIND SINGH SANGWAN ]**  
**JUDGE**

05.03.2019  
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No