

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-15212-2019 (O&M)

Date of Decision:-8.4.2019

Rakesh Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sandeep Kotla, Advocate for the petitioner.

Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioner seeks grant of regular bail in respect of a case registered vide FIR No. 260 dated 24.11.2018 at Police Station Bhattu Kalan, District Fatehabad under Section 392/34 of Indian Penal Code.

The FIR was registered at the instance of Vinod Kumar wherein it has been alleged that on 23.11.2018 when he was going from his medical store to his village, then two boys came on a motorcycle at a high speed and stopped their motorcycle in front of the motorcycle of the complainant. It is alleged that the persons sitting on the rear seat had muffled his face with a black coloured cloth and was having an iron rod in his hand and who threw the complainant down from the motorcycle and snatched his motorcycle and ran away.

The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that the motorcycle in

question was allegedly recovered from the co-accused namely Sahil and that in order to falsely implicate the petitioner, it has been shown that the petitioner was in possession of the Registration Certificate.

Opposing the petition, the learned State counsel has submitted that in view of the recovery of the Registration Certificate, Driving Licence of the complainant and the Pollution Certificate, the complicity of the petitioner is evident. It has, however, been informed that challan has already been presented.

Having considered the rival submissions addressed before this Court and also bearing in mind the fact that the motorcycle in question was recovered from the co-accused and also that the petitioner has been behind bars since the last more than 4 months and challan already stands presented, no useful purpose would be served by keeping him behind bars any longer. The petition, as such, is accepted. The petitioner-Rakesh Kumar is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, Fatehabad.

8.4.2019

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No