

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

CRM-M-47314-2018 (O&M)

Date of Decision:- 14.2.2019

Rakesh @ Bodha

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ajay Kaushik, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.423, dated 6.10.2018, registered at Police Station City, Tohana, District Fatehabad, under Sections 120-B, 201, 379, 411 and 477 IPC.
2. The allegations, in nutshell, are that on 6.10.2018, a secret information was received by the police that Rakesh @ Bodha brings stolen vehicles in abandoned factory and dismantles them for selling their parts. The information was further to the effect that Harwinder @ Kala, who is a driver, had purchased a stolen truck engine from Rakesh and in case a raid is conducted, he can be caught red-handed. Pursuant to said information, a raid was conducted and Harwinder

was caught and a stolen truck engine and parts of truck were recovered.

3. Pursuant to interim directions issued by this Court vide order dated 26.10.2018, the petitioner has joined investigation.
4. Learned counsel for the petitioner apart from arguing on merits mainly to the effect that he was never arrested from the spot and that it is co-accused who was found in possession of stolen truck engine and that the case is based solely on disclosure statement has sought bail on compassionate grounds as his father namely Shiv Kumar is stated to have expired on 21.1.2019.
5. Having regard to the facts and circumstances of the case and while also bearing in mind that there has been a bereavement in petitioner's family whose father has recently expired, and also while bearing in mind the fact that the petitioner has already joined investigation, a lenient view is being taken. The petition, as such, is accepted and interim directions issued vide order dated 26.10.2018 are made absolute subject to the condition that the petitioner shall appear and join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

February 14, 2019

mohan

**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No