

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

CRM-M-26256-2019
Date of decision: 03.09.2019

Pawan Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Aman Pal, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

Mr. Vikas Lochab, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 648 dated 26.07.2017, under Section 420 (later on converted into Section 406 IPC), registered at Police Station Sarai Khawaja, District Faridabad.

The operative part of the order dated 04.06.2019, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner inter alia contends that upon bare perusal of the FIR, it is a pure simplicitor civil cause and no criminality can be attributed to such a borrowing of a vehicle.

Notice of motion for 03.09.2019.”

Learned counsel for the petitioner submits that in the FIR, which is registered at the instance of complainant Indraj Singh, it is stated that on 15.01.2017, the petitioner has taken the car of complainant, bearing registration number DL-13-C-5392, for the purpose of taking a ride and has

not returned the same.

Learned counsel for the petitioner further submits that the FIR has been registered after a lapse of six months and primarily it is a dispute between the complainant and one Arif. The petitioner is named only because he is the friend of said Arif.

Learned counsel for the petitioner further submits that the petitioner, in pursuance to the order dated 04.06.2019, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from HC Ravinder Singh, assisted by learned counsel for the complainant, has submitted that a fake registration certificate has been prepared regarding sale of the car.

In view of the above, without commenting anything on the merits of the case, this petition is allowed and the interim bail granted to the petitioner, vide order dated 04.06.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

03.09.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No