

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

**CRM-M No.44874 of 2019  
Decided on: 29.10.2019**

Narender

....Petitioner

Versus

State of Haryana

....Respondent

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

**Present :** Mr. Tushar Gautam, Advocate  
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

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

The petitioner prays for grant of regular` bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.847 dated 26.10.2018, for offence punishable under Sections 379-A of the Indian Penal Code (in short 'IPC') and Section 25/54 of the Arms Act, registered at Police Station Sadar Palwal, District Palwal.

Counsel for the petitioner has submitted that as per the allegations in the FIR, registered at the instance of Rannu, he along with two other persons had gone to get his vehicle bearing registration No.DL-4C-AD-8722 serviced at service station and when they were coming back, 03 boys with the help of fire-arm threatened them and demanded the keys of the car and out of fear, the complainant and others gave the keys of the car and accused persons fled-away from the spot along with the said vehicle. It is further submitted that later on, one co-accused Omkar was arrested in some other FIR and there, he made a disclosure statement about the name of the present petitioner. It is

further argued that the car has been recovered from the said Omkar.

Counsel for the petitioner has relied upon the affidavit (Annexure P-3) of the complainant – Rannu, who had made a deposition that he has seen the petitioner – Narender and he is not the person, who was involved in the incident of snatching or giving beatings to him.

The complainant – Rannu is also present in the Court today.

Counsel for the State, on instructions from ASI Dharamvir, has identified him to be the complainant – Rannu in the present case.

Counsel for the State, on instructions from the Investigating Officer has also not disputed the fact that the car stands recovered from the co-accused Omkar, however, he has also submitted that the motorcycle used in commission of the crime was recovered from the present petitioner.

Without commenting anything on merits of the case, considering the fact that the petitioner is the first offender; he is not involved in any other case; the petitioner is no more required for further investigation and conclusion of the trial is likely to take some time as the offences are triable by the Court of Magistrate and also in view of the fact that the complainant has deposed by way of an affidavit that the petitioner is not the person out of the 03 accused persons, who were involved in the incident, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)  
JUDGE

29.10.2019  
*yakub*

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable:       | Yes/No |