

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-46088 of 2019
Date of Decision: 14.11.2019

Varinder Kumar @ Goldy

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Inderjeet Singh, Advocate
for the petitioner.

Mr. Munish Sharma, AAG Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case in case FIR No.20 dated 08.02.2019 registered for offences punishable under Sections 379-A, 420, 506 and 120-B of Indian Penal Code, at Police Station Sadhaura, District Yamunanagar.

Heard.

Learned counsel for the petitioner submits that petitioner is not named in the FIR. He was arrested on 08.10.2019. All the allegations in the FIR are against Julfan, who had sold his vehicle no. HR-46-C-2837 to complainant with affidavit that there is no incumbrance on it. The petitioner was arrested on the basis of suspicion that he had snatched the vehicle from complainant.

Learned State counsel on instructions from SI Sukhwinder Singh submits that though, petitioner is not named in the FIR but he was apprehended on the basis of suspicion. He has admitted in his disclosure

statement that he was with co-accused, Wahid, when the vehicle in question, was snatched.

As per allegations in the FIR, complainant had a deal with Julfan for purchase of the vehicle in question. Payment was made to Julfan. When the complainant was going with the vehicle, some persons stopped him near petrol pump and snatched the vehicle stating that it is under finance. The complainant has stated that after talking with Wahid he parked the vehicle at that place.

The investigation of case is still going on. Regarding other accused, namely, Azad Singh, Wahid and Asif, learned State counsel has made statement that they have joined the investigation and their custodial interrogation is not required. Role of petitioner is on parity with aforesaid co-accused, whose custodial interrogation is not required by the police.

In view of above facts but without expressing any opinion on merits of the case and keeping in view the fact that completion of investigation, presentation of challan and then conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Varinder Kumar @ Goldy is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his

presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.

- (c) He shall not leave the country without the previous permission of the Court.

November 14, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No