

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

**CRM-M No.50610 of 2019
Decided on: 05.12.2019**

Ajay

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Ashit Malik, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.252 dated 24.07.2019, for offence punishable under Sections 379, 411, 413, 414, 120-B, 201, 420, 467, 468, 471 of the Indian Penal Code (in short 'IPC'), 25, 27 of the Arms Act and 7 of the Prevention of Corruption Act registered at Police Station Murthal, District Sonapat.

Counsel for the petitioner has argued that as per the allegations in the FIR, which was registered on the basis of some secret information, Dr. Navneet @ Sonu, Niranjana @ Manji and Pardeep @ Sandy and the petitioner – Ajay are involved in selling the stolen car in different States, after preparing forged documents and they can be apprehended with a stolen car. It is further argued that the police laid a nakabandi and a Fortuner car was seen coming from the side of

Gannaur, in which the petitioner and the above-named co-accused were found sitting. During the search, .32 bore revolver was recovered from the co-accused Pardeep @ Sandy, which was without licence.

Counsel for the petitioner has further submitted that thereafter, the police recorded the disclosure statement of Niranjana @ Manji and Dr. Navneet @ Sonu on 26.07.2019, in which they have stated that the petitioner who was known to them, met them on way to a Dhaba and they asked him to accompany them and thereafter, the police apprehended the accused persons.

Counsel for the petitioner has also argued that the petitioner has no previous history of involvement in any such case and there are no direct allegations against him. It is further argued that later on, the police recovered a car and a forged R.C. from the petitioner.

Counsel for the State, on instructions from ASI Rajvir, has not disputed the factual position but opposed the prayer for bail on the ground that the petitioner and his companions are involved in the business of selling the stolen cars. It is further argued that challan stands presented and the case, before the trial Court, is now fixed for framing of charge.

Without commenting anything on merits of the case, considering the fact that the petitioner is not involved in any other case; he is in judicial custody since 24.07.2019 and it will take some time in conclusion of the trial, 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

05.12.2019
yakub

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