

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

**CRM-M-51056-2019
Date of decision: 10.12.2019**

Navneet Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Rajesh Dhankar, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 252 dated 24.07.2019, registered under Sections 379, 411, 413, 414, 120-B, 201, 467, 468, 471 of the IPC and Sections 25, 27 of the Arms Act, 1959 and Section 7 of the Prevention of Corruption Act at Police Station Murthal, District Sonipat.

Learned counsel for the petitioner submits that as per the allegations in the FIR, on receiving a secret information that petitioner along with other co-accused, is involved in the purchase and sale of the stolen vehicles, by preparing bogus documents, in the States of Punjab, Haryana and Uttar Pradesh, the police party put a barrier and stopped a Fortuner car, which was being driven by co-accused Ajay and the petitioner was sitting on the co-driver seat and two other occupants, sitting on the rear seat, were Niranjana @ Manji and Pardeep @ Saindi. Upon search, the police recovered a .32 bore pistol along with live cartridges from co-accused

Pardeep and the number plate of the said car was also found to be fake. During investigation, one more vehicle was recovered from the petitioner.

Learned counsel for the petitioner further submits that the petitioner is on bail in FIR No. 785 dated 18.10.2017, under Sections 379 and 420 of the IPC registered at Police Station Civil Lines, Hisar, which was relating to theft of Fortuner car, allegedly recovered in the present FIR/case, vide order dated 08.11.2019 passed by the Additional Sessions Judge, Hisar.

Learned counsel further submits that petitioner is also on bail in another FIR No. 197 dated 13.07.2019, under Sections 332, 353, 186, 224, 307, 427 of the IPC; Section 25 of the Arms Act, 1959 and Section 3(2) of the Prevention of Damage to Public Property Act, 1984, registered at Police Station Urban Estate-2, Hisar, vide order dated 31.10.2019 passed by the Additional Sessions Judge, Hisar.

Learned counsel for the petitioner further submits that petitioner is in judicial custody since 24.07.2019; challan has been presented; charges have been framed, however, no prosecution witness has been examined so far.

It is further submitted that co-accused Sunil Kumar has been granted interim anticipatory bail by this Court, vide order dated 07.11.2019 passed in CRM-M-47531-2019 and another co-accused Ajay has also been granted concession of regular bail by this Court, vide order dated 05.12.2019 passed in CRM-M-50610-2019.

Learned State counsel, on the basis of the custody certificate filed today in Court, has not disputed the factual position.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that petitioner is in judicial custody since 24.07.2019; co-accused have already been granted concession of regular bail and interim anticipatory bail as noticed above and also in view of the fact that conclusion of trial is likely to take a long time as the prosecution evidence is yet to start; the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety to the satisfaction of the trial Court/Duty Magistrate concerned.

10.12.2019
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No