

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-8222-2020 (O&M)
Date of Decision:-2.3.2020

Mohit ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mohit Rathee, Advocate for the petitioner.

Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana,
assisted by SI Devender Singh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.224 dated 25.6.2019 at Police Station Murthal, Sonipat under Section 379-B of Indian Penal Code.
2. The FIR in question was lodged at the instance of Dinesh Singh, wherein it has been alleged that on 24.6.2019 at about 8:00 P.M. he had left his house with his wife in 'Fortuner' vehicle bearing registration No.HR-26-BY-0098. While on the way when he parked his vehicle in front of 'Pahalwan Dhaba, Murthal' and went out of the vehicle for ordering his meals while leaving his wife Navita inside the car, two unknown persons came there and while brandishing a gun made her wife step down from the vehicle and fled away with his vehicle. It is further stated therein that there was an amount of ₹2.75 lakhs, one credit card of SBI Bank, Kotak Bank Debit Card, Aadhar Card, PAN Card, Identity Card, Driving Licence, Bajaj Finance Card, one PNB Bank Debit card of his wife Navita and other documents lying in the vehicle.

3. The learned counsel has submitted that the complainant as well as his wife Navita have been examined in the Court during the course of proceedings of trial, but none of them has supported the case of prosecution. The learned counsel, in this regard, has drawn the attention of this Court to the statements annexed with the petition as Annexure P-2. A perusal of the statement of PW-5 Dinesh Singh (complainant) shows that he has specifically stated that two unknown persons had taken away the vehicle. During the course of cross-examination he stated that he was not present when the accused snatched the vehicle.
4. PW-6 Navita, during her examination-in-chief has categorically stated that she could not say as to whether the accused present in the Court are the same persons, who snatched the vehicle alongwith other documents. During the course of cross-examination she specifically admitted, to be correct that the accused are not the persons, who had snatched the vehicle in question.
5. In view of the aforestated position and bearing in mind that the petitioner has been behind bars since the last about five months, further detention of the petitioner will not serve any useful purpose as the conclusion of trial is likely to take some time.
6. The petition, as such, is accepted and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

2.3.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No