

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-13484 of 2020
Date of Decision: 11.06.2020

Abhishek alias Shanky

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

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

RAJIV NARAIN RAINA, J.

The matter is taken up for hearing through video conferencing/WhatsApp [due to the pandemic COVID-19].

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.620 dated 27.10.2019 under Sections 379, 411, 413 of IPC registered at Police Station City, Yamuna Nagar, District Yamuna Nagar.

Notice of motion.

Mr. Saurabh Mohunta, DAG, Haryana accepts notice on behalf of the respondent-State.

In brief, facts of the case are that on 22.10.2019 the complainant Alachh Kumar parked his motorcycle bearing registration

No.HR-02-Z-9441, Engine No.HR10EFC9C14734 and Chasis No.HBLHA10EZC9C09349 Model 2012 Splendor of Black Colour and found missing from the parking spot. On the basis of complaint dated 27.10.2019, FIR under Section 379 of IPC was registered. During investigation, no clue could be found and thus, untraced report was reduced. Further investigation was marked CIA-I, Yamuna Nagar. Accused Amit Kumar alias Meetu and Rajat, who were in police custody suffered disclosure statements admitting their involvement in the commission of crime involved in the present case. Consequently, they were joined in the investigation of this case and were formally arrested. On interrogation, they suffered disclosure statement naming one Abhishek (petitioner) whom they had sold the stolen motor cycle against Rs.8000/-. Consequently, the petitioner joined in the investigation and was arrested.

Learned counsel for the petitioner contends that the petitioner neither involved in the present case nor was present at the spot on the date of incident, as at that time the petitioner was behind the bars. The trial is likely to take some time to conclude and therefore, the petitioner is entitled to be enlarged on bail.

Per contra, Mr. Saurabh Mohunta, DAG, Haryana, learned counsel appearing on behalf of the respondent-State opposes the grant of regular bail to the petitioner.

I have heard learned counsel for the parties.

The trial will take some time. No useful purpose will be served in keeping the petitioner in jail pending trial. At this stage, without going into merits of the case, the instant petition is allowed and the petitioner is

directed to be released on regular bail pending trial on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made by this Court shall not be construed to be an expression on the merit of the case.

11.06.2020
manju

(RAJIV NARAIN RAINA)
JUDGE

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