

S.No.205

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

CRM-M-16036 of 2020 (O&M)

Date of Decision:07.07.2020

**ParveenPetitioner
Vs.
State of HaryanaRespondent**

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IN VIRTUAL COURT
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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Ajay Singh, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.39 dated 04.02.2020 registered under Sections 392/394/120B, 34 IPC and Section 25 of Arms Act at Police Station Sector 9A, District Gurugram.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner is not connected with the crime at all. Even the complainant/ driver of the snatched vehicle has not identified the petitioner as the person involved in the incident. He has even sworn an affidavit to the effect that the petitioner is not involved in the matter. Still further, the Uber Taxi;which is alleged to have been snatched;was not booked from the mobile phone of the petitioner. However, to thrust the case upon the petitioner, the Police have concocted recovery of the car from him. The petitioner is in custody since 04.02.2020. There is no other case against the petitioner. Since the case is at the stage of framing of

the charge, therefore, the petitioner is not required for any investigation purposes.

Notice of motion.

Mr. Munish Sharma, AAG, Haryana, accepts notice on behalf of the State.

Learned State Counsel, on instructions from SI Mukesh Kumar, submits that the participation of the petitioner in the crime has been duly established during the investigation. The snatched vehicle has been recovered from the petitioner only. Not only this, even the driving licence has been recovered from him. However, it is not disputed that the petitioner is in custody since 04.02.2020 and that there is no other case against the petitioner.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

July 07, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No