

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.21378 of 2020
Date of Decision : 18.08.2020

Rahul Gupta s/o Sh. Sanjay

...Petitioner

Versus

State of Haryana

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present: Mr. Akshay Kumar Dahiya, Advocate for the petitioner.
Mr. Jitender Kumar, DAG, Haryana.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.

2. Prayer in the petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.147, dated 30.05.2020, registered under Sections 186, 332, 353, 307, 114, 188, 269, 270/34 IPC, at Police Station Sadar, Bahadurgarh.

3. Learned counsel contends that at best the case of the prosecution against the petitioner is that the vehicle which hit the complainant at *naka* was being driven by co-accused Nitesh Nagar @ Lucky, while there were 02 persons in the rear seat i.e. the petitioner, Rahul besides one Rohit and that on the car being signaled to stop, initially the car slowed down, but when the complainant went towards the car, the driver accelerated the car and sped away and it hit the complaint, as a result of which, he was thrown far away and received injuries.

4. Learned counsel further contends that the petitioner was merely an occupant of the rear seat and has been falsely implicated, as the

offence, if any was committed by the driver of the vehicle and not by the petitioner.

5. Learned counsel further contends that the petitioner is a young man and is not a previous offender and that no other case is registered against him.

6. Learned DAG, Haryana, has not controverted the factual position, as noted above.

7. Accordingly, without commenting upon the merits of the case and taking into account the fact that the petitioner was merely an occupant of the rear seat, while the offending vehicle was being driven by one Nitesh Nagar @ Lucky, who allegedly hit the complainant, as a result of which, the complainant received injuries, as also by taking into account that the trial would take considerable period of time, application for regular bail is ***allowed*** and the petitioner is ordered to be released on regular bail provided he is not required in any other case and subject to his furnishing bail / surety bonds to the satisfaction of the learned CJM / Trial Court / Duty Magistrate, concerned. The petitioner shall also comply with the conditions contained in Section 437(3) Cr.P.C.

(B.S. Walia)
Judge

August 18, 2020

'Rajneesh-Amit'

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No