

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

**CRM-M No.48783 of 2019 (O&M)
Decided on: 09.01.2020**

Rajan @ Lalli

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Nishant Raj Ghangas, Advocate for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.219 dated 23.08.2019, for offence punishable under Sections 379-B, 506, 34 of the Indian Penal Code, 1860 (in short 'IPC') and 25 of the Arms Act, registered at Police Station Israna Panipat, District Panipat.

Counsel for the petitioner has argued that as per the allegations in the FIR, it is stated by the complainant – Sandeep that his friend Satish has given him his car, which he was plying as a taxi via Ola Cabs. On 22.08.2019, he received a call from the booking and picked 04 young boys and started driving towards Rohtak. Later, on the highway the occupants of the car by showing a weapon has snatched his car while leaving him on a Dhaba and taking Rs.1700/-. It is further argued that the petitioner was not one of the occupant of the car and as per the allegations in the FIR, 02 of the co-accused namely Aryan and Aman, have snatched the car and they have taken the same to the

petitioner from where he has fixed a fake number plate.

Counsel for the petitioner has further submitted that the petitioner is not a previous offender and the only allegation against the petitioner is that certain documents have been recovered in pursuance to his disclosure statement regarding fake identity. It is also submitted that the petitioner is a young person aged about 19 years and the co-accused of the petitioner namely Aryan and Aman, who were declared juvenile, have already been granted the concession of regular bail.

Counsel for the State, on instructions from SI Mahavir, has not disputed the factual position but opposed the prayer for bail. He has not disputed the fact that the petitioner is in custody since 28.08.2019.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody from 28.08.2019; the co-accused of the petitioner have already been granted the concession of regular bail; he is a first offender and conclusion of the trial will take some time, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

09.01.2020
yakub

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