

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

CRM-M-233-2020 (O&M)
Date of Decision:-13.1.2020

Ajit ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Devender Arya, Advocate for the petitioner.

Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana,
assisted by SI Sultan 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.170 dated 14.5.2019 at Police Station Kherki Daula, Gurugram (Haryana) under Sections 406, 420, 467, 468, 471, 419 and 120-B of Indian Penal Code.
2. Mr. Harsh Jain, Advocate has today put in appearance on behalf of the complainant and has filed *Vakalatnama*, which is taken on record.
3. The FIR was lodged at the instance of Deepak, wherein it has been alleged that he is into business of renting out vehicles and that on 15.4.2019 a telephone call was received from mobile No.92051-73530 from one Gaurav Kumar who wanted to take a Scorpio vehicle on rent and sent his ID i.e. a

copy of Aadhar Card, a copy of Driving License through Whatsapp. It is further stated therein that on the next day an amount of ₹1,000/- was deposited in the bank account of the company and in the evening the Scorpio vehicle was taken on rent for 25 days and another amount of ₹6,400/- was deposited in the bank account of the company. However, subsequently it was found that the driving license as well as other documents were forged and when the complainant tried to contact the aforesaid Gaurav Kumar, his mobile phone was found to be switched-off.

4. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that there is nothing on record to connect him with the alleged renting out of Scorpio. It has further been submitted that, in any case, since co-accused namely Sahil Sangwan and Mohit have already been granted bail, therefore, the petitioner also deserves the same concession on grounds of parity, particularly keeping in view the fact that he has been behind bars since the last more than seven months.
5. Opposing the petition, the learned State counsel assisted by the learned counsel for the complainant has submitted that it was during the course of inquiries that the identity of the petitioner came to be known and that he was instrumental in preparing the forged Aadhar Card and Driving License on the basis of which Scorpio vehicle was taken on rent. The learned State counsel, however, informed that challan already stands presented against three of the accused while three more are yet to be arrested and since the vehicle in question is yet to be recovered, no case for grant of bail is made out.
6. I have considered rival submissions addressed before this Court.

7. Bearing in mind the nature of allegations and the fact that challan already stands presented and that the petitioner has been behind bars since the last more than seven months, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to take some time. The petition, as such, is accepted and it is ordered that the petitioner be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

13.1.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No