

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

**CRM-M-1171-2021**

Date of Decision : January 14, 2021

Rohit @ Chhotu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Vijay K. Jindal, Advocate for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

**ARVIND SINGH SANGWAN, J. (Oral)**

This is the first petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.318 dated 6.12.2020, under Sections 379-A of the Indian Penal Code, registered at Police Station City Jhajjar, District Jhajjar.

Counsel for the petitioner submits that the FIR has been registered on a complaint given by one Shivam, when he along with his relative Ravi was going on motorcycle, which was purchased from the shop of Anil by his maternal uncle Sunil. Amit and his friends gave beatings to him and took away his motorcycle. Counsel for the petitioner further submits that the petitioner was not named in the FIR. However, later on, in the statement under Section 161 Cr.P.C. he made improvements and stated that the petitioner was there and the motorcycle was taken by the accused persons.

Counsel for the petitioner further submits that the petitioner is not involved in any other case and has been falsely implicated in the present case.

Learned State counsel submits that the challan is yet to be presented. However, it is not disputed that the petitioner is not named in the FIR and the fact that the motorcycle was taken by the accused persons is also not there in the FIR.

Without commenting anything on the merits of the case, considering the aforesaid submission made by counsel for the petitioner and also in view of the fact that the petitioner is not named in the FIR, this petition is allowed and the petitioner is directed to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

**( ARVIND SINGH SANGWAN )  
JUDGE**

**January 14, 2021**  
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Whether speaking/reasoned : YES / NO

Whether reportable : YES / NO