

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

**CRM-M-7372-2021 (O&M)**

(1) Deepak Kumar ... Petitioner

Versus

State of Haryana ... Respondent

(2) **CRM-M-8611-2021 (O&M)**

Sandeep @ Golu ... Petitioner

Versus

State of Haryana ... Respondent

Date of Decision:- 21.9.2021

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present: Mr. Lalit Singla, Advocate for the petitioner  
in CRM-M-7372-2021.

Mr. Deep Singh, Advocate for the petitioner  
in CRM-M-8611-2021.

Ms. Aditi Girdhar, AAG, Haryana.

*(proceedings conducted through video conferencing)*

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**GURVINDER SINGH GILL, J.**

1. This order shall dispose off the above mentioned two petitions filed on behalf of Deepak Kumar and Sandeep @ Golu seeking grant of regular bail in a case registered vide FIR No.89 dated 1.7.2020 under Sections, 411, 420, 467, 468, 471, 201, 379-A/34 IPC at Police Station Jakhal, District Fatehabad.

2. The FIR in question was lodged at the instance of Gurjant Singh wherein it is alleged that he has one Innova car bearing Registration No. DL-1-YC-1356. On 1.7.2020 at about 4:30 p.m., two young persons hired his vehicle for going to Village Sidhani and fare was settled at ₹ 2,000/-. Since the complainant did not know the way to Village Sidhani, therefore, he was driving his vehicle as per the directions being given to him by the said persons. At about 5:45 p.m. when they were near Village Miyondi, then one person sitting behind him placed a weapon like thing on his ear and asked him to stop the vehicle and upon which he stopped the vehicle and took out the key of his vehicle and alighted down from the same. It is alleged that the said two boys snatched keys from him and also his mobile phone and fled away from the spot while taking his vehicle.
3. The learned counsel for the petitioners have submitted that they have falsely been implicated in the instant case and are nowhere named in the FIR and that the only evidence against them is their own disclosure statement which would hardly carry any evidentiary value. The learned counsel for the petitioners have further submitted that since co-accused Subhash Chander has already been granted bail by this Court vide order dated 16.2.2021, the petitioners also deserve the same concession on the grounds of parity. .
4. Opposing the petition, the learned State counsel has submitted that during the course of investigation, the petitioner Deepak Kumar was arrested on 2.12.2020, upon identification by the complainant and that during interrogation said Deepak Kumar suffered a disclosure statement that on 1.7.2020 he alongwith his co-accused Deep Gyani had hired the Innova vehicle bearing Registration No. DL-1-YC-1356 from the complainant but

had later snatched the mobile phone and also his car which they later sold to Subhash Chander and his friend Sandeep @ Golu for an amount of ₹50,000/- while taking a cash amount of ₹ 30,000 at the spot. He further stated that while selling the car, they had disclosed that the car was a stolen vehicle. The learned State counsel has further submitted that on 2.12.2020, the petitioner Sandeep was arrested and who also made a disclosure statement to the effect that he and Subhash Chander had purchased the vehicle from Deepak Kumar and Deep Gyani for an amount of ₹50,000/- and that he and Subhash Chander had paid ₹15,000/- each to Deep Gyani and the balance ₹20,000/- was to be given later upon receipt of documents. He further stated that after few days Subhash Chander gave him RC No. HR-51-AT-0711 and two number plates of the same number which he affixed on the Innova vehicle and he gave the original number plates to Subhash Chander. The learned State counsel has further informed that petitioner Deepak Kumar is a habitual offender having been involved in as many as 10 cases out of which 4 are still pending while he stands acquitted in 6. The learned State counsel has further informed that the petitioner Sandeep @ Golu stands involved in one more case under NDPS Act.

5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case, particularity the chequered history of Deepak Kumar, who has earlier been involved in 10 cases out of which 4 are still pending, no case of grant of bail is made out to the petitioner Deepak Kumar. As such, the petition on behalf of Deepak Kumar sans merit and is hereby dismissed.

7. As far as the petitioner Sandeep @ Golu is concerned, he is not associated with the snatching of the vehicle and role attributed to him is that he had purchased the stolen vehicle while being aware that the vehicle was a stolen vehicle. His case is, thus, on a better footing than that of his co-accused Deepak Kumar. Further, he is stated to be involved in only one more case under NDPS Act and is not stated to be involved in any other case of snatching or possession of stolen property. As such, the petitioner Sandeep @ Golu can be extended the benefit of bail, particularly since the identically situated co-accused namely Subhash Chander against whom also the allegations are that he had purchased the stolen vehicle alongwith the petitioner, has already been granted bail, vide order dated 16.2.2021. The petition on behalf of Sandeep @ Golu, as such, is accepted and the petitioner Sandeep @ Golu is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**21.9.2021**

kamal

**(Gurvinder Singh Gill)**  
**Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No