

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

CRM-M-5720-2020
Date of decision: 28.07.2021

Gautam

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Amit Mann, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 220 dated 20.09.2019, registered under Section 406 IPC at Police Station Uchana, District Jind.

The operative part of the order dated 10.02.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“FIR bearing No. 220 dated 20.09.2019 under Section 406 IPC registered at Police Station Uchana, District Jind on the basis of the complaint of Vikas alleging that on 25.04.2019, the petitioner had hired his car bearing No. HR86-7675 and the driver namely Sunil was accompanying the said car. The petitioner alongwith three other persons took the car to Haridwar and further they took the keys from the driver and have misappropriated the vehicle.

It has been stated by the learned counsel for the petitioner that in fact the driver had taken away the car, and he is still missing and the car has not been recovered.

The petitioner is being falsely implicated on account of some monetary dispute with the complainant.

Notice of motion for 19.03.2020.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 10.02.2020, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Balwan Singh, has not disputed the factual position and submits that the petitioner has joined the investigation, however, the car was not recovered.

Considering the aforesaid facts and also in view of the fact that a period of more than one and a half year has lapsed and the petitioner has not misused the concession of interim bail, the present petition is allowed and the interim bail granted to the petitioner, vide order dated 10.02.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

28.07.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No