

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

CRM-M-18386-2021 (O&M)

Date of Decision:02.06.2021

Kikheto Achumi

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Trideep Pais, Sr. Advocate with
Ms. Divya Sharma, Advocate for the petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

....

TEJINDER SINGH DHINDSA, J. (ORAL).

CRM-13415-2021:

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Application is allowed as prayed for. The accompanying compilation of judgments at Annexure A-1 is taken on record.

Application is disposed of.

Main case:

Pursuant to the order dated 20.05.2021 passed by this Court, learned State counsel has filed a status report by way of affidavit dated 28.05.2021 of the Commissioner of Police, City Gurugram along with Annexures R-1 and R-2. The same is taken on record. Copy thereof has already been furnished to counsel opposite.

Petitioner seeks benefit of regular bail pending trial in case FIR No.560, dated 15.09.2019, under Sections 379/120-B/420/467/468/471 IPC,

registered at Police Station Sector 10-A, Gurugram.

Counsel for the parties have been heard.

The process of law was set in motion pursuant to a complaint made by one Umed Singh stating that on the intervening night of 14/15.09.2019, a white colour Toyota Fortuner vehicle bearing registration No.HR-03-W-0006 that had been parked in front of his house had been stolen.

Apparently during the course of investigation, co-accused, Ankit and Jalal were picked up. It is upon their disclosure that the present petitioner who is stated to be a resident of the State of Nagaland has been implicated. Recovery of a tablet/fake number plates and a master key is stated to have been effected.

In a nutshell case of the prosecution is that the petitioner is a member of a gang involved in theft of vehicles and after stealing such vehicles selling them further by assigning fake registration numbers etc. as also by changing the chasis/engine numbers.

It has gone uncontroverted that investigation in the case is complete and challan qua the present petitioner as also Ankit and Jalal has been presented in the month of March, 2021.

Co-accused, Ankit and Jalal have already been extended the benefit of bail.

Petitioner has been in judicial custody since 07.01.2021. It is not the case on behalf of the State that the petitioner if granted the benefit of bail would be in a position to hamper the course of a free and fair trial.

In view of the above and without commenting on the merits of

the case, petitioner is held entitled to the benefit of bail.

Since the petitioner is stated to be a resident of the State of Nagaland, he be enlarged on bail subject to stringent conditions to be imposed by the trial Court/Duty Magistrate concerned.

Disposed of.

02.06.2021

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |