

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

**CRM-M-39430-2021
Date of decision: 21.09.2021**

Sunil Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Robin Lohan, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 155 dated 18.05.2019, registered under Sections 120-B, 406, 420, 467, 468 and 471 of the IPC at Police Station Civil Lines Bhiwani, District Bhiwani.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered on a complaint given by one Pardeep Kumar, it is stated that complainant had purchased a car bearing registration number HR-99ACB(T)-5752 and handed over the vehicle to petitioner for plying the same as the complainant was facing financial crunch.

Learned counsel further submits that the petitioner offered to purchase the said vehicle and on the basis of affidavit dated 27.01.2018, the vehicle was sold by the complainant to petitioner Sunil Kumar and it was clarified that there is a loan of HDFC Bank on the vehicle, to which, the petitioner promised to repay the same.

Learned counsel further submits that later on, the complainant came to know that even the petitioner has sold the vehicle, which was later

on got registered in the name of one Kamaljeet in Mohali.

Learned counsel further submits that there was no *mens rea* on the part of the petitioner to commit any offence as the vehicle was sold on as it was as per an affidavit.

Notice of motion.

Mr. Deepak Kumar Grewal, DAG, Haryana, who is present in Court accepts notice on behalf of the respondent-State and submits that the said vehicle has already been recovered.

After hearing learned counsel for the parties, considering the submissions made by learned counsel for the parties, I do not find it to be a case where the custodial investigation of the petitioner is required as the vehicle already stands recovered.

Accordingly, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.

21.09.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No