

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

(Through Video Conferencing)

207

CRM-M-8537 of 2022

Date of decision : 04.03.2022

Vishal

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM : HON'BLE MR.JUSTICE JASJIT SINGH BEDI

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

Mr. Parveen Aggarwal, Deputy Advocate General, Haryana.

Jasjit Singh Bedi, J.

The Prayer in this petition is for the grant of regular bail under Section 439 Cr.PC in case FIR No.501 dated 24.08.2021 under Sections 420, 467, 468, 471 IPC registered with Police Station Narnaund District Hisar.

Learned counsel for the petitioner contends that the allegations in the FIR are that the petitioner along with his co-accused sold a stolen car to the complainant. The petitioner is said to have received a sum of Rs.1,21,000/- for the sale of the said car.

Learned counsel for the petitioner contends that the allegations are baseless. In fact, the petitioner was arrested in another case where the recovery of the said car is said to have been made. He has been brought on production warrant and sought to be implicated. He states that the petitioner is in custody since 12.09.2021. The investigation is complete and as many as 25 witnesses cited in the list of witnesses. None of them has been examined till date.

Learned State counsel on the other hand submits that the

petitioner is the main accused, having received the said amount from the complainant and having sold a stolen car to him. He further contends that the petitioner is involved in other cases as well, in which he has been granted bail. As such he does not deserve the concession of bail.

I have heard learned counsel for the parties.

As per the prosecution case, the petitioner is undoubtedly the main accused. However, the petitioner is in custody since 12.09.2021 and 25 witnesses are yet to be examined. The case is otherwise, triable by the court of a Magistrate. The co-accused of the petitioner is on bail.

Thus keeping in view the aforesaid facts, no useful purpose would be served by keeping the petitioner in incarceration. Therefore, without commenting upon the merits of the case, keeping in view the custody period and the fact that the trial is not likely to be concluded in near future, the present petition is allowed and the petitioner Vishal son of Shubhvir is ordered to be released on bail subject to the satisfaction of learned CJM/Duty Magistrate, Kaithal.

It is further made clear that if petitioner indulges in similar offences for which he is currently charged, the State would be at liberty to move an application for cancellation of bail.

04.03.2022
sd

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No