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

CRM-M No.13903 of 2022 (O&M)

Date of decision: 07.04.2022

Yogesh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rajesh Arora, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.569 dated 12.09.2018, for offence punishable under Sections 420, 465, 467, 468, 471, 201, 120-B of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station Shivaji Nagar, Gurugram, District Gurugram.

Counsel for the petitioner has submitted that as per the allegations in the FIR, registered at the instance of National Insurance Company, it is stated that vehicle No.HR-51-AU-8708, was planted in a hit and run case, qua which FIR No.318 dated 20.04.2016 at Police Station City Gurugram and FIR No.18 dated 07.01.2017 at Police Station Civil Lines, Gurugram, were registered. It is further submitted that during the investigation, the only allegation leveled against the petitioner is that he has taken the vehicle on superdari, being the

general power of attorney holder of his father, who is the registered owner of the vehicle. Lastly, it is submitted that all the other accused persons, qua whom, there were allegations of fraud or forgery, have been released on bail and the petitioner is not involved in any other case and he is in custody for the last 08 months and 06 days and challan stands presented.

Counsel for the State on the basis of the Custody Certificate has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last 08 months and 06 days; challan stands presented; the co-accused of the petitioner have already been released on bail; the petitioner is not involved in any other case; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

07.04.2022

yakub

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No