

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

**CRM-M-48510-2022
DECIDED ON: 27.10.2022**

GOPAL

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Siddarth Tanwar, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

SANDEEP MOUDGIL, J. (ORAL)

This is a petition seeking regular bail in FIR No.670, dated 14.07.2022, under Section 379-A of the IPC, registered at Police Station Shahabad, District Kurukshetra.

Learned counsel for the petitioner contends that the petitioner has been roped in the present FIR on the basis of disclosure statement of co-accused Harjeet Singh. He further contends that it is the co-accused Harjeet Singh, who during interrogation admitted his involvement in the present case and got recovered the motorcycle bearing No.HR-04H-2231, which was stolen by him.

On the other hand, learned State counsel has produced the custody certificate of the petitioner today in the Court, which is taken on record and submits on instructions from SI Wazir Singh that the petitioner was apprehended in the present FIR subsequently during the investigation and, therefore, the petitioner cannot take the plea of being roped in only on

the basis of disclosure statement of co-accused Harjeet Singh. He further submits that the motorcycle was snatched by some unknown persons as per the FIR at that time but it is the bare fact that in such snatching cases, the identity of the accused is tracked later on. In the present case, the petitioner was subsequently apprehended after thorough investigation.

Looking at the totality of the facts and in view of the submissions made hereinabove, no fruitful purpose will be served by keeping the petitioner behind bars as the conclusion of the trial is likely to take time, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate, concerned.

The present petition is, therefore, allowed.

(SANDEEP MOUDGIL)
JUDGE

27.10.2022

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>