

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-54105-2021 (O&M)
Date of Decision:-26.4.2022

Naveen

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Lalit Kumar, Advocate for the petitioner.

Mr. Rahul Mohan, DAG, Haryana,
assisted by ASI Paramjit.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.45 dated 15.2.2020, Police Station Rohtak Sadar, Rohtak, under Sections 379-B, 397, 34 of Indian Penal Code and Sections 25, 54 and 59 of Arms Act, wherein offences under Sections 342 and 392 were added later on.
2. The FIR was lodged at the instance of Rohtash, wherein it is alleged that three persons had hired his taxi and that later the said three persons snatched the said taxi by brandishing a knife.
3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that the falsity of the case

would be evident from the fact that when the complainant i.e. PW-1 Rohtash stepped into the witness box, he was declared hostile and categorically stated that the petitioner is not the person, who had snatched his car. Learned counsel, in this regard, has drawn the attention of this Court to the said statement (Annexure P-5).

4. Learned State counsel has not disputed the fact that PW-1 Rohtash has not fully supported the case of prosecution but has informed that the petitioner is a habitual offender having been involved in two other cases. Learned State counsel has further informed that the petitioner as on date has been behind bars since the last more than 1 year.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that the petitioner has been behind bars for a substantial period of more than 1 year and that the complainant Rohtash has not supported the case of the prosecution, further detention of the petitioner would not be justified. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

26.4.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No