

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-21598-2022 (O&M)

Date of decision : 10.4.2023

Rajesh Kumar

... Petitioner

VERSUS

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. R.S.Dhull, Advocate,
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

Mr. Ajay Kamboj, Advocate,
for the complainant.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.222 dated 22.4.2022 registered under Sections 420, 467, 468, 471, 120-B IPC at Police Station Civil Lines Sirsa, District Sirsa.

The allegations in nutshell are that originally, car No.HR24-V-1835 was owned by one Onkar Singh and he sold the same to complainant-Jagatdeep Singh. There are also allegations that thereafter, petitioner-Rajesh Kumar in connivance with Sandeep Gharu and Nikshant tried to get the said car transferred in his name on the basis of some forged documents.

Counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case and original owner-Onkar Singh actually sold the car in question to Nikshant and accordingly, said Nikshant

became its registered owner and registration certificate was also issued and the vehicle was transferred in the name of co-accused Nikshant by the concerned registration authority and even possession of the car was also delivered to said Nikshant by said Onkar Singh. Counsel for the petitioner further submits that during investigation, co-accused Nikshant handed over the said car to the police in compliance of the directions given by this Court and the petitioner has also fully cooperated with the police during the investigation.

Counsel appearing on behalf of the complainant submits that Nikshant took possession of the vehicle in question fraudulently from the workshop where it was taken for service and it is further submitted that FIR in this case has been registered after detailed inquiry. However, counsel for the complainant has not disputed the fact that now the car is in custody of the police.

State counsel on instructions from SI Jagmeet Singh submits that the petitioner has joined the investigation with the police and also handed over the car in question and now the petitioner is not required by the police for further investigation or custodial interrogation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 31.5.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

April 10, 2023

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No