

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

236

CRM-M-20114-2024

Date of decision: 29.4.2024

MUBARIK

...Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

**Present:- Mr. Sudhir Rana, Advocate
for the petitioner.**

Mr. Rajesh Gaur, Addl.A.G., Haryana.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C in case FIR No.132 dated 06.07.2023 registered under Sections 379-A, 34, 201, 411 IPC 1860 registered at Police Station, Sadar Rewari, District Rewari
2. Learned counsel for the petitioner inter alia contends that the only role attributed to the petitioner is of having purchased stolen property i.e car which was allegedly snatched by the co-accused from the complainant. It has been submitted that the petitioner was not named in the FIR in question and had been nominated as an accused only on the basis of a disclosure statement suffered by co-accused Sachin who had allegedly snatched the car of the complainant. Learned counsel submits that the petitioner has clean antecedents and since the investigation in the case in hand is complete his further incarceration would not serve any useful purpose as the charges have not been framed yet coupled with the fact that as many as 10 witnesses have been cited by the prosecution.
3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has not disputed the factual

aspect of the role attributed to the petitioner in the crime in the question; the stage of the trial has also not been disputed by the learned State counsel. On a pointed query, learned State counsel has informed the Court that the petitioner is not involved in any other criminal case of the similar nature.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

6. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

April 29, 2024
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable:	Yes/No