



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

CRM-M-51187-2024 (O&M)
Date of Decision:- 23.10.2024

Arun Kumar ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sushil Sheoran, Advocate, for the petitioner.
Mr. Neeraj Sheoran, DAG, Haryana.

FIR NO.	DATE	POLICE STATION	OFFENCES
412	18.12.2023	Kasola, District Rewari	114, 186, 307, 332, 353, 34 IPC and Section 25 of Arms Act (Sections 120-B, 216, 406, 420 IPC added later on)

GURVINDER SINGH GILL, J. (Oral)

- The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
- The case of the prosecution is that one Balwan who was wanted in connection with murder of Sukhbir, Chairman Rithoj Sohana was absconding and a reward of Rs.10,000/- had been announced in case anybody furnishes information as regards his whereabouts. It is



further the case of prosecution that on 18.12.2023 SI Vikas received secret information to the effect that Balwan along with his companions would be proceeding from Alwar to Rewari in a white coloured 'Venue' car bearing registration No.HP-54D-9999 while carrying weapons so as to commit some crime in Rewari. Pursuant to receipt of said information the barricades were laid. When a car bearing registration No. HP-54D-9999 was noticed, the same was chased by the police officials in a "Bolero" vehicle. It is further the case of prosecution that Balwan fired at the police officials and also tried to run over some police officials and ultimately managed to escape. It is further the case of prosecution that the vehicle in question which is owned by one Mrs. Palak had been handed over by her to the petitioner for the purpose of transportation from Pathankot to Kochi. It is further the case of prosecution that the petitioner instead of sending the vehicle to Kochi handed over the same to Balwan to facilitate his movement.

3. Learned counsel for the petitioner submits that he has falsely been implicated in the present case and that there is no convincing evidence to show that he had any *mens rea* or any intention or had connived with the co-accused for commission of any offence. Learned counsel submits that as a matter of fact the vehicle in question had been handed over by the petitioner to his friend Hans Raj and not to accused Balwan.



4. Opposing the petition, learned State counsel submits that since the vehicle in question had been used in commission of crime and it is the petitioner who had handed over the possession of the vehicle by its owner, his complicity is clearly evident. Learned State counsel however, informed that the petitioner as on date has been behind bars since the last about 6 months and 14 days and that he is involved in one more case registered under Section 406, 407, 420, 120-B IPC. It has however, been informed that none out of the cited 23 PWs has been examined till date.
5. This Court has considered rival submissions addressed before this Court.
6. Without commenting anything as regards merits of the case, but having regard to the custody period of the petitioner and the fact that not even a single PW has been examined till date which indicates that conclusion of trial will consume time, the petition 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.

23.10.2024

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No