

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-39317 of 2014 (O&M)
Date of Decision: 06.07.2015

Daljit Singh @ Bholla

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:-HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Bipan Ghai, Sr. Advocate with
Mr. V.S. Virk, Advocate for the petitioner.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

Mr. Aayush Gupta, Advocate for the complainant.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the instant petition filed under Section 439 Cr.P.C praying for grant of regular bail to the petitioner in case F.I.R. No. 86 dated 9.8.2014 under Section 382 of I.P.C and sections 365, 473 I.P.C (sections 25, 54, 59 of Arms Act were added later on) registered at Police Station, P.A.U., Ludhiana, District Ludhiana.

Learned counsel for the parties have been heard.

As per prosecution version, the occurrence is stated to be of 9.8.2014 at about 5 P.M. Complainant Reena Sharma had stated that she was a housewife and was sitting on the back side of a Fortuner Car being driven by driver Surinder Sood. When the car was stopped in front of Ram Saran Mandir and the driver had been sent away to purchase two sweet boxes from Khushi Ram & Sons Sweet Shop, an unidentified sikh boy about 30-35 years old wearing a sky blue turban, sat on the driver seat and drove of the Fortuner car. The car, otherwise, was stated to be in the name of son of the complainant i.e. Rohan Sharma.

The petitioner has been in custody since 30.8.2014.

Prayer made in the present petition is vehemently opposed by learned counsel appearing for the complainant by submitting that the investigating agency was in possession of C.C.T.V footage installed in the shops in the vicinity of Khushi Ram & Sons Sweet Shop and from where it would be apparent that the present petitioner/accused had been following the Fortuner Car in a Skoda vehicle and thereafter had got out of the car and had driven off the Fortuner car.

Be that as it may, the offences cited against the present petitioner are triable by a court of Magistrate. The petitioner has already suffered incarceration for a period in excess of 10 months.

Without making any observations on merits, the petitioner is held entitled to the concession of bail. Present petition is, accordingly, allowed.

Petitioner be enlarged on bail subject to satisfaction of C.J.M.,
Ludhiana.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

06.07.2015
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