

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CRM-M-13126 of 2017**

**Date of Decision: 05 December, 2017**

Rajesh

...Petitioner

Versus

State of Haryana

...Respondent

**CRM-M-24601 of 2017**

Sanjay

...Petitioner

Versus

State of Haryana

...Respondent

**CRM-M-35483 of 2017**

Sanjay

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**

Present: Mr. Rakesh Nehra, Advocate  
for the petitioner in (CRM-M-13126 of 2017).

Mr. Surjit Singh Sodhi, Advocate  
for the petitioner in (CRM-M-24601 of 2017).

Mr. Ram Pal Verma, Advocate  
for the petitioner in (CRM-M-35483 of 2017)

Mr. Deepak Sabherwal, Addl.AG, Haryana.

**FATEH DEEP SINGH, J.**

Since all these three regular bail appellations under Section 439 Cr.P.C have arisen out of the same very FIR, thus, are being taken up and disposed off together for the sake of brevity.

The necessary facts are that the present case was got

registered on the statement of Ramesh Chander, who alleged that he was working as Manager with Bharat Transport Corporation Ltd., Faridabad and during the intervening night of 31.7.2016 and 01.08.2016, driver Sudhir @ Monu had gone in truck No.HR-38-S-0152 along with 471 bags of Moong daal and when he reached near Libaspur, informed one Ravi that he has reached there but thereafter it transpired that the vehicle never reached its destination and was found abandoned near G.T. Road Panipat. On checking the vehicle dead body of driver Sudhir @ Monu was recovered from the cabin leading to registration of the present case.

During the course of investigations, it transpired that accused petitioner-Rajesh who was driver at *Kiriana* shop owned by accused/petitioner Sanjay drove the car and had along with co-accused Sanjay, Dinesh Kumar (present petitioners) and others have hatched a conspiracy to loot the truck and to rob the cargo in the truck which were purchased by Sanjay in which Dinesh Kumar acted as a conduit. It was on the basis of disclosure statements, the entire plot was unrevealed. The money out of the sale proceed of Rs.50,000/- along with car was got recovered from accused/Dinesh Kumar and these petitioners were arrested on 04.08.2016

The contentions of the learned counsel for the petitioners that there is no direct evidence against the petitioners to connect them with the commission of offence and that they are innocent having no knowledge purchased the articles which could not be even reasonably connected with the subject matter of robbery/dacoity and that the petitioners are falsely implicated and are behind the bars since long time and that they do not have any previous criminal history.

Learned State counsel has stoutly opposed the grant of bail to the petitioners on the grounds of heinousness of offence and seriousness of allegations and the fact that if allowed bail the petitioners would influence the witnesses as the trial is underway and all the accused are known to each other and have hatched a conspiracy knowingly of the likely repercussions as a consequence of the same.

Appreciating the submissions, it is by no means displaced that from the accused, as a consequence of their disclosure statements, part of the looted articles and money out of the sale transactions were got recovered along with vehicle which was used in the commission of offence and as per the allegations in this crime an innocent driver of the vehicle has been put to death and there is allegation of hatching a criminal conspiracy for attaining a sinister design. Keeping in view the apprehension of the State that if allowed bail, the petitioners would influence the witnesses and the fact that admittedly accused are known to each other are matters of serious repercussions. Mere period of incarceration is not an extenuating circumstance to grant this relief. In the light of the same, no ground to allow the present bail applications is made out.

Dismissed.

**December 05, 2017**

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**(FATEH DEEP SINGH)  
JUDGE**

Whether reasoned/speaking  
Whether reportable

Yes/No  
Yes/No