

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

CRM-M-8313-2019 (O&M)
Date of Decision:-8.4.2019

Kuldeep	Versus	... Petitioner
State of Haryana		... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sumeet Puri, Advocate for the petitioner.
Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.190 dated 23.7.2018 at Police Station Julana, District Jind under Section 395 of Indian Penal Code, 1860.

The FIR was lodged at the instance of Vikram, wherein he has alleged that he is working as a driver with truck bearing registration No. HR-46-C-9738. It is alleged that on 21.7.2018, when he was returning from Ludhiana alongwith his loaded truck and reached near Gautmi Nagar on way to Rohtak, then at about 12:00 midnight, a white coloured car came from behind and obstructed his path. It is alleged that 5-6 persons came out of the said car and snatched his truck and ran away with the truck alongwith the material loaded in it.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that the falsity

would be evident from the fact that the complainant Vikram, while in the witness box, has not identified the petitioner to be an accused.

Opposing the petition, the learned counsel representing the State has submitted that infact it is a case where the complainant has been won over obviously on account of some extraneous considerations.

Having considered rival submissions addressed before this Court and bearing in mind the fact that the petitioner has been behind bars since the last about six months and till date only one out of the 16 cited prosecution witnesses has been examined and also that the complainant has resiled and has not identified the petitioner to be the accused, in my opinion, no useful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted and the petitioner Kuldeep is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

The present petition stands accepted accordingly.

8.4.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No