

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

- (I) CRM-M-8654-2019 (O&M)
Date of Decision:28.05.2019
- KULDEEPPetitioner
- Versus
- STATE OF HARYANARespondent
- (II) CRM-M-20947-2019
- VIRENDER AND ANOTHERPetitioners
- Versus
- STATE OF HARYANARespondent
- (III) CRM-M-14889-2019
- MANOJPetitioner
- Versus
- STATE OF HARYANARespondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Sumeet Puri,Advocate
for the petitioners in CRM-M-8654-2019 &
CRM-M-20947-2019

Mr. Deepak Vashishth, Advocate
for the petitioner in CRM-M-14889-2019.

Ms. Aditi Girdhar, AAG, Haryana in all the cases.

GURVINDER SINGH GILL, J. (ORAL)

1. This order shall disposed of aforesaid petitions filed on behalf of petitioners-Kuldeep, Virender, Naveen and Manoj seeking grant of regular bail in a case registered vide FIR No.510 dated 17.9.2018 under Sections 395, 397 of the Indian Penal Code and Section 25 of the Arms Act, 1959, Police Station City Jind, District Jind.
2. The FIR was registered at the instance of Bhajan Singh wherein it has been alleged that he was working as driver on the truck of Vijay Kumar and that on the night intervening 15/16-9-2018, he after loading iron rods left for Faridabad from Jalandhar and that when he reached near Jind city then one Maruti Ertiga vehicle stopped in front of his truck, out of which 3-4 boys alighted. It is alleged that one of the boy was carrying a pistol and he was made to alight from the truck on pistol point and was also given fist and kick blows and said boys snatched his truck and went away leaving him there.
3. Learned counsel for the petitioners have submitted that they have falsely been implicated in the present case and that falsity would be evident from the fact that aforesaid Bhajan Singh, while in the witness-box absolutely resiled from his statement. The learned counsel in this context has shown a copy of statement of Bhajan Singh (PW-9) recorded by trial Court on 27.5.2019 wherein during his examination-in-chief he has categorically stated that he does not

know who drove away the truck and from whose possession the same was recovered. Said witness was declared hostile. He further specifically stated that he has seen the accused persons for the first time and that they have no role in the offence in question.

4. In view of the aforesaid position, wherein I find that the complainant has not supported the case of prosecution, further detention of the petitioners would not serve any useful purpose. The petitions, as such, are accepted and it is ordered that petitioners be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

28.05.2019

Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No