

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

CRM-M-17602-2019

Date of decision:30.05.2019

MANOJ

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Deepak Vashishth, Advocate
 for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (ORAL)

1. 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.
2. 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.

3. 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. It has been submitted that the petitioner has been involved in the present case on the alleged disclosure statement made by the petitioner while he was in custody in connection with another case.
4. Opposing the petition, the learned State counsel has submitted that infact it is a case where the complainant has been won over obviously on account of some extraneous considerations.
5. 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 seven months and till date only three out of the sixteen cited prosecution witnesses have 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 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.

6. The present petition stands accepted accordingly.

(GURVINDER SINGH GILL)
JUDGE

30.05.2019
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**