

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

CRM-M-15569-2020 (O&M)

Date of Decision:- 25.11.2020

Rahul Alias Mangla

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Navkiran Singh, Advocate, for the petitioner.

Mr. Vikrant Pamboo, DAG, Haryana.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No.362, dated 14.8.2019, Police Station Sadar Thanesar, District Kurukshetra, under Sections 341, 395, 397, 473, 474, 201 IPC and Section 25 of Arms Act.
2. The FIR was lodged at the instance of Krishan wherein it is alleged that on 13.8.2019 he handed over an amount of ₹8 lakhs, wrapped in a newspaper to his driver of truck bearing registration No. WB-11-B-7386 namely Amit Kumar for the purpose of getting Soya. It is further alleged that another amount of ₹11500/- was also given to him for the purpose of expenses as the said Soya was to be brought

from Ludhiana. It is alleged that at about 10.57 pm the complainant's driver namely Amit Kumar rang him up and informed that a white coloured Scorpio vehicle had stopped his truck and that 6 occupants of the said vehicle who were armed with deadly weapons had snatched the truck and also the amount being carried by the driver Amit and his co-driver Vinod Kumar.

3. Learned counsel for the petitioner has submitted that he is nowhere named in the FIR and has been nominated as an accused subsequently on the basis of a disclosure statement allegedly made by one Vikas @ Vicky, which can hardly be said to be sufficient evidence to connect the petitioner with the alleged occurrence.
4. Opposing the petition, learned State counsel has submitted that since the petitioner has categorically been named by his co-accused and an amount of ₹20,000/- was actually recovered from the petitioner, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court. Given the fact that the petitioner has been nominated on the basis of disclosure statement, the veracity and admissibility of which would be debatable and while also noticing that the petitioner has been behind bars since the last about 14 months, further detention of the petitioner will not serve any useful purpose especially since as on date only one out of the cited 26 PWs has been examined. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction

of learned trial Court/Chief Judicial Magistrate/Duty Magistrate
concerned.

November 25, 2020

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No