

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(I) CRM-M-11101-2021 (O&M)**

Surender @ Sonu ...Petitioner

Versus

State of Haryana ...Respondent

(II) CRM-M-32065-2021 (O&M)

Rajender ...Petitioner

Versus

State of Haryana ...Respondent

Date of Decision: 12.10.2021**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**Present: Mr. Parveen Sharma, Advocate, for the petitioner
in CRM-M-11101-2021.Mr. Amit Parashar, Advocate, for the petitioner
in CRM-M-32065-2021.Mr. Gurmeet Singh, AAG, Haryana,
assisted by ASI Amit Kumar.**GURVINDER SINGH GILL, J. (Oral)****CRM-33720-2021 in CRM-M-32065-2021**

In view of the reasons mentioned in the application, the same is
allowed and the document annexed with the application is taken on
record as Annexure P-4.

CRM-M-11101-2021 (O&M) and
CRM-M-32065-2021

1. This order shall dispose of the aforesaid two petitions i.e. CRM-M-
11101-2021 filed on behalf of Surender @ Sonu and CRM-M-

32065-2021 filed on behalf of Rajender, seeking grant of regular bail in respect of a case registered against them vide FIR No.530 dated 05.11.2020 at Police Station Kharkhoda, District Sonipat, under Sections 307/379-B/392 IPC and Sections 25/27/54/59 of the Arms Act (Sections 408/120-B IPC added later on).

2. The FIR in question was lodged at the instance of Manish Goel, wherein it is alleged that he is running a shop under the name & style of 'Layak Ram Ganga Parsad'. It is alleged that Rajender (petitioner) and Dharmender Kumar Yadav had been working as Accountants in his shop. It is alleged that on 04.11.2020, while both the accountants were bringing an amount of Rs.40 lakhs from Tohana in a car, one vehicle came from behind and overtook their car and stopped in front of their car. It is further alleged that one person alighted from that car and fired on them and after taking Rs.40 lakhs from the diggi of the car, fled away. It is further the case of the prosecution that during the course of investigation, it transpired that the person, who had snatched the amount i.e. Surender (petitioner in CRM-M-11101-2021) was in league with Accountant Rajender (petitioner in CRM-M-32065-2021).
3. Learned counsel for the petitioner has submitted that a false FIR came to be lodged against the petitioners and that falsity would be evident from the fact that when the statement of the complainant Manish Goel was recorded during the proceedings of trial, he has absolutely resiled from the statement. Learned counsel in order to hammer forth their aforesaid submission have referred to his

statement (Annexure P-4), which has been taken on record today itself.

4. Opposing the petition, learned State counsel has submitted that since the amount in question had been duly recovered from petitioner Surrender, no case for grant of bail is made out. Learned State counsel, however, could not dispute the fact that the complainant has since resiled. It has been informed that the petitioners have been behind bars since the last about 11 months and that they are not involved in any other case.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case particularly the fact that the complainant has since resiled from his statement and the petitioners, in any case, have been behind bars since the last about 11 months and are not even stated to be involved in any other case, further detention of the petitioners will not serve any useful purpose as the conclusion of trial will take some time. Both the petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
7. Since petitioner Surrender @ Sonu is ordered to be released on regular bail, no further orders are required to be passed in CRM-31580-2021, as the same has been rendered infructuous.
8. A photocopy of this order be placed on the connected file.

12.10.2021

Vimal

VIMAL KUMAR
2021.10.12 18:32
I attest to the accuracy and
integrity of this document

(GURVINDER SINGH GILL)
JUDGE

CRM-M-11101-2021 (O&M) and
CRM-M-32065-2021 (O&M)

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No