

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11814-2021

Date of decision : 01.04.2021

Sachin

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Sunil Polist, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana
assisted by ASI Abdul Karim.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J (ORAL)

1. The petitioner has approached this Court seeking grant of regular bail in a case registered against him vide FIR No.629 dated 26.12.2020, registered at Police Station Nuh, District Nuh, under Sections 365, 379-B, 506 and 511 of the IPC.
2. The FIR was registered at the instance of Salim wherein it is alleged that on 24.12.2020, he was coming to Kiran Filling Station Malab for refuelling CNG in his car, then another car bearing registration No. HR-55AC-6669 was standing in the queue ahead of him. Three young boys were sitting in the said car, who came out of the car and told the complainant to get out the car and when the complainant refused, he was forcibly pulled out from his car. The complainant alleged that the said boys told him that they are from Finance Company. The said boys are alleged to have given beatings to the complainant and pushed him into

their white Ertiga car. When the complainant raised alarm, then his brother who was also sitting in the complainant's car, came forward and who also raised alarm and several persons were attracted to the spot, upon which the accused left him and ran away while taking away an amount of Rs.12,720/- from the pocket of the complainant. The complainant alleged that he sustained some internal injuries and got himself treated from a private hospital.

3. The learned counsel for the petitioner submitted that he has falsely been implicated in the instant case and that he is nowhere named in the FIR and has subsequently been nominated as an accused, on the basis of an alleged disclosure statement made by the petitioner himself when he came to be arrested in an another FIR No.207 dated 25.12.2020, Police Station Titram, Kaithal. The learned counsel has further submitted that from the falsity of the case would be evident from the fact that there is nothing on record to show that the complainant had sustained any injury.
4. Opposing the petition, the learned State counsel has submitted that since the petitioner has admitted his involvement in the case by making a disclosure statement and also happens to be involved in one more FIR, no case for grant of bail is made out. The learned State counsel has, however, informed that the petitioner has been in custody since 14.01.2021 and that challan has already stand presented.
5. I have considered the rival submissions addressed before this Court. It is not in dispute that the petitioner was not arrested at the spot and came to be nominated on the basis of the disclosure statement stated to have been made by the petitioner himself when he was arrested in an another case.

The veracity and admissibility of such statement would be debatable. In any case, it is not disputed that the petitioner is aged between 17 and 18 years and that he has already been behind bars since the last more than 2 months and the challan already stand presented. There is nothing on record to substantiate the allegations as regards inflicting of injuries to the complainant as no medical record has been shown to this Court.

6. In view of the discussion made above, no useful purpose would be served by detaining the petitioner further behind bars. The petition, as such, is accepted and it is ordered that petitioner be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

01.04.2021
Dinesh

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No