

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

214

CRM-M-20488-2021 (O&M)

Date of Decision: 26.05.2021

Charan Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Munfaid Khan, Advocate for the petitioner.

Mr. G.S. Chhina, AAG, Haryana
assisted by ASI Narender.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.26 dated 02.02.2021 at Police Station Hodal, District Palwal under Section 407/472/420/467/468 and 471 of Indian Penal Code.
2. The FIR was lodged at the instance of Mukeem, wherein it is alleged that he is having a firm and deals in paddy, wheat, peas, grams etc. It is alleged that on 29.01.2021, 630 bags of paddy were loaded on truck bearing Registration No.RJ-09-GJ-8377 which were to be sent to M/s Ma Bala Sunderi Owasi, Bapoli, Panipat. It is further alleged that on 31.01.2021, when the truck reached Bapoli, the loaded bags of paddy were not unloaded at M/s Ma Bala Sunderi Firm and later on, it was found that the same had been got unloaded by the truck driver namely Arshad and its owner Charan Singh at Chand Hotel, Punhana Road, Hodal.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case and that he had never travelled in the truck in question. It has further been submitted that since the entire goods already stand recovered and challan stands presented, the petitioner deserves to be released on bail.
4. Opposing the petition, learned State counsel has submitted that it is a case where the owner of the truck in question i.e. the petitioner had affixed fake number plates on truck in question and in fact even the driver of the truck had furnished fake driving license for the sole purpose of committing the offence in question and, as such, he does not deserve the concession of bail. Learned State counsel has, however, informed that the petitioner has been behind bars since the last about 3 months and that he is not involved in any other case and that the recovery stands effected.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case particularly that in the instant case recovery stands effected and while also noticing that the petitioner is not stated to be involved in any other case, no useful purpose will be served by further detaining the petitioner behind bars. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

26.05.2021

VY

(GURVINDER SINGH GILL)
JUDGE

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