

In virtual Court

CRM-M-23554-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23554-2021 (O&M)
Date of decision: 01.07.2021

Shamshad

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Khalid, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.395 dated 25.12.2020 under Section 379 IPC (Sections 395, 397 IPC and Section 25/54/59 of Arms Act were added later on), registered at Police Station Sadar Tauru, District Nuh.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of Basruddin, it is stated that on 16.12.2020, his truck driven by petitioner Shamshad started from Sirsi Karnatka, after loading the goods, for Delhi. On 22.12.2020, he received a message from the petitioner that some robbers are behind him and he is in danger and thereafter, he switched off his phone. With these allegations, the FIR was registered.

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During the investigation, the police, on the basis of CCTV footage of Toll Plaza etc., recovered the truck on 05.01.2021, which was without any goods. Thereafter, statement of one Jahid was recorded, who stated that petitioner Shamshad along with Salman and Sabir had sold the betel nut (supari) to Bilal and Suhail and have misappropriated the amount. The petitioner was also got his share of amount and therefore, the police concluded that it is a case of dacoity. It is further submitted that one co-accused of the petitioner has already been granted the concession of regular bail.

Learned State counsel has filed the custody certificate dated 30.06.2021 in the Court today, however, has submitted that the petitioner is the main conspirator, who has masterminded the whole episode. It is further submitted that the petitioner was entrusted with the truck and the goods by the complainant being driver and later on, he made up a story that goods have been looted, whereas the petitioner, in conspiracy with other accused, has sold the entire material.

After hearing learned counsel for the parties, considering aforesaid submissions made by them, I find no ground to grant regular bail to the petitioner.

Dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

01.07.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No