

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

220

CRM-M-28285 of 2021
Date of Decision: 06.10.2021

Joginder @ Bholu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Robin Singh Hooda, Advocate for the petitioner.

Mr. Vishal Malik, DAG, Haryana.

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioner in case FIR No.344 dated 28.08.2020 under Sections 341, 342, 364-A, 379-B, 120-B and 34 IPC and Section 25 of Arms Act, 1959, registered at Police Station Matlauda, Panipat.

FIR was lodged on the complaint of one Shri Kant who stated that he was working in IOCL Refinery, Panipat. On 4.2.2020 at about 1.00 pm, he was coming from IOCL Panipat after finishing his work and was going to his home on a scooty. When he reached near village Sethana, a blue coloured Creta car overtook him and blocked his way. Thereafter, complainant stopped his scooty by the side of the road. 3 young man came out of the car with weapons. He identified one of them as Ankit who was carrying a small pistol in his hand, the other boy namely Dinesh was carrying a rifle in his hand and the third

boy namely Monu was having DBL gun. By pointing their weapons on complainant, they asked the complainant to sit in the car. They snatched his purse which contained valuable documents, Rs. 10000/- and mobile phone. They started giving him fists and kick blows. They took him to Jyoti Colony, Sector 13-17 where they were joined by 4 persons namely Jasbir Patwari, Monu, Dinesh and Surjeet. These persons were also armed with pistols. They pressurized the complainant to sign certain documents for giving work of labour and vehicle and also the share in the project of company. Thereafter, accused left the complainant on Assandh Road. They also handed him back his purse and mobile.

Learned counsel for the petitioner has argued that the alleged incident took place on 04.02.2020, whereas the FIR was lodged on 28.08.2020 i.e. after a delay of six months. He further argued that the petitioner has been implicated on the basis of disclosure statement made by his co-accused. It is further stated that the complainant-Shri kant has not identified the petitioner. It is also stated that the petitioner has clean antecedents infact he is working on taxi stand opposite gate No.1 of IOCL Refinery, Panipat. No recovery has been effected from the petitioner and he is in custody since 07.09.2020

Per contra, learned State counsel submits that the petitioner among assailants has abducted the complainant, kept him confined and snatched various articles.

In view of the above, without expressing any opinion on

the merits of the case, this criminal miscellaneous petition is allowed and the petitioner-Joginder @ Bholu is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, Chief Judicial Magistrate, concerned.

[HARINDER SINGH SIDHU]
JUDGE

October 06, 2021
rashmi

Whether speaking/reasoned	yes/no
Whether reportable?	yes/no