

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2021/09/27 15:38
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CRM-M-39351-2021

Date of decision : 24.9.2021

Amit alias Gollu

..... Petitioner (s)

Versus

State of Haryana

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Saurabh Dalal, Advocate
for petitioner (s).

Mr. Gaurav Bansal, AAG Haryana.

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HARINDER SINGH SIDHU, J.

This is petition filed under Section 439 Cr.P.C. for grant of regular bail in FIR No. 259 dated 18.9.2020 registered under Sections 379 A, 120 B, 201 IPC at Police Station Lakhan Majra, Rohtak.

FIR was lodged on the complaint of one Shyam Sunder who stated that he is owner of Swift car. He has put his car under the charge of OLA company as per agreement. On 17.9.2020 at about 4.30 pm, he received a call regarding booking of car from OLA company. When the complainant made a call to the person who hired the car, he did pick the phone. However, the complainant received a call from another number asking him to come at HP Petrol Pump, Sector 9. The hirer told the complainant that his wife who is in Kharainti road is to be picked up from there and to be dropped at T3 airport. When the complainant was on the way, the vehicle of complainant was intercepted by another car. A person alighted from said car. He was armed with danda. He damaged the front glass of car of complainant. Out of fear, the complainant ran away towards fields. His car was taken away by accused and his companions. There was a mobile phone in the said car.

It is the case of prosecution that during investigation 2 accused namely Deepak and Akash were arrested. The name of petitioner is alleged to have surfaced in the disclosure statement of said accused. Thereafter, petitioner was also arrested. The car has been recovered on the disclosure statements of accused Deepak and Akash. No recovery has been effected from petitioner.

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Learned counsel for petitioner has argued that complainant while deposing in Court has not supported the prosecution case. The petitioner has not been identified by complainant. Petitioner is in custody since 21.9.2020. The trial has not made any headway because of COVID 2019 pandemic.

In view thereof, no useful purpose would be served by keeping the petitioner behind bars. Hence, petition is allowed. Petitioner Amit alias Gollu is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

(HARINDER SINGH SIDHU)
JUDGE

24.9.2021
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No