

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M- 36232 of 2020 (O&M)

Date of decision : 19.1.2021

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Kuldeep

.....Petitioner

vs.

State of Haryana

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Virender Soni, Advocate
for the petitioner.

Mr.Karan Garg, Assistant Advocate General,
Haryana.

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H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

This petition for grant of regular bail, has been filed by petitioner – Kuldeep, aged about 52 years, son of Ram Singh, r/o of village Manana, Police Station Samalkha, District Panipat, an accused in FIR No.779 dated 10.9.2020, for the offences under Sections 407, 195, 203, 120-B, 201, 411, 34 IPC registered with Police Station Model Town, Panipat.

Briefly stated the prosecution story is that one Ram Mehar had lodged report with the police that on 6.9.2020, he had parked his

truck No. HR-67C-8603 loaded with 25 ton of rice in front of BNG Filling Station, Panipat. However, on the next day when he reached at that place, he found the truck missing. Formal FIR in the matter was registered. Investigation in the case started, during the course of which it found out that Ram Mehar himself had manipulated the entire thing, to have financial gain for himself. He was arrested on 16.9.2020. He was interrogated and from his information involvement of petitioner – accused – Kuldeep, in the crime was found to be there. Kuldeep was arrested on that very day. Truck alongwith rice, were recovered from Kuldeep-petitioner and Ram Mehar.

Petitioner - Kuldeep had filed an application for regular bail before the Court of Sessions at Panipat, but was unsuccessful there, as such he has come to this Court craving for grant of similar relief, which request is being opposed by the State counsel.

I have heard learned counsel for the petitioner, learned State counsel, besides going through the record.

Admittedly, on completion of investigation, challan in the case is stated to have been filed. The conclusion of trial is likely to take some time. Recovery in this case has already been effected. On being asked, the State counsel has informed that as per his instructions, petitioner is not involved in any other criminal case.

The co-accused of the present petitioner Ram Mehar, who was the main accused, is stated to have been granted benefit of regular bail by Additional Sessions Judge, Panipat, vide order dated 8.1.2021. A copy of said order has been placed on record by learned counsel for the petitioner.

Under the circumstances, I find it proper and appropriate to grant the benefit of regular bail to the petitioner.

Accordingly, without going into the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing personal bonds and surety bonds to the trial Court/CJM/Duty Magistrate, Panipat, subject to the following conditions:-

- (i) he shall appear in the Court on each and every date of hearing;
- (ii) he shall not give any threat or intimidation to the prosecution witnesses; and
- (iii) he shall not leave India without prior permission of the Court and shall surrender his passport, if he has got one, otherwise to furnish affidavit in that regard.

If he violates any of the above conditions, this order granting regular bail to him shall be liable to be withdrawn.

However, nothing discussed above shall have any bearing on the merits of the case.

19.1.2021
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No