

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-42177-2020 (O&M)

Date of Decision:-29.1.2021

Kanwar Bhan

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amit Kohar, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana,
assisted by ASI Rajesh Kumar.

Mr. Vikram Bali, Advocate for the complainant.

(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 vide FIR No.10 dated 18.1.2020 at Police Station Radaur, District Yamuna Nagar under Section 468, 469, 471, 506 and 120-B of Indian Penal Code, wherein offences under Sections 420 and 467 IPC were added later on.
2. The FIR was lodged at the instance of one Gulzar Singh, wherein he alleged that his son namely Dharambir alongwith his wife Seema Devi and one Harbans Kaur had stolen his cheques and some of his documents from his house and in respect of which FIR No.118 dated 18.7.2019 at Police Station Radaur, District Yamunanagar for offences under Sections 379 and 506 IPC was lodged. It is alleged that the said accused, however, have still been

threatening him and had issued threats that they would misuse his cheques and the documents.

3. Learned counsel for the petitioner has submitted that the petitioner is nowhere named in the FIR and is sought to be involved in the FIR on the basis of a supplementary statement made by the complainant to the effect that the petitioner was also conspiring with the remaining accused.
4. Opposing the petition, learned State counsel has submitted that since the name of the petitioner has figured in the supplementary statement, he does not deserve the concession of bail. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about two months.
5. Learned counsel representing the complainant has also opposed the petition on the ground that the petitioner is gloves in hands with the co-accused, who are also involved in another case and in these circumstances the complicity of the petitioner is clearly evident.
6. I have considered rival submissions addressed before this Court.
7. Bearing in mind the fact that the petitioner is not initially named in the FIR and, in any case, has been behind bars since the last about 2 months, further detention of the petitioner will not serve any useful purpose. 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.

29.1.2021

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

(Gurvinder Singh Gill)
Judge