

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

CRM-M-8465-2022 (O&M)  
Date of Decision:-9.3.2022

Rinku Kumar @ Panda

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Lukhwinder Singh, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,  
assisted by SI Radha Krishan.

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**GURVINDER SINGH GILL, J.**(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.199 dated 29.8.2021, Police Station Sadar Ratia, District Fatehabad under Sections 395, 342, 120-B, 420, 201, 34 of Indian Penal Code, wherein offences under Section 392 IPC and under Sections 25 of Arms Act were deleted and offence under Section 61 of Excise Act was added later on.
2. The FIR was lodged at the instance of Lovepreet Singh, wherein it is alleged that he runs liquor vend in Village Khai and that on 28.8.2021 at about 09:38 p.m. he received information that some persons by pointing pistol at his salesman had committed robbery. When the complainant went to the liquor

vend, he found that the liquor vend was locked and that hands of his salesman, who was inside the liquor vend, had been tied. Upon checking, it was found that 32 boxes of country made liquor, 1 box of bear, mobile phone of the salesman were missing. It is further the case of prosecution that during investigation, on 15.9.2021, Section 34 of Indian Penal Code was deleted. On 4.10.2021 complainant got recorded his supplementary statement wherein he disclosed the names of Om Parkash and Rinku and co-accused Sunny Singh and Gaurav Kumar. On 5.10.2021, co-accused Sunny Singh was arrested in this case and on interrogation, he suffered his disclosure statement admitting his involvement in this case. Offence under Section 120-B of IPC was added in the present case. On 6.10.2021, accused Om Parkash @ Parkash was arrested in this case and upon interrogation, he suffered a disclosure statement admitting his involvement in this case. On 19.10.2021, co-accused Riku Kumar was arrested in this case and upon search, pistol was recovered from him and upon interrogation, he also suffered a disclosure statement admitting his guilt. During remand, accused Rinku got recovered 16 boxes of bottles of country made liquor. Offence under Section 61 of Excise Act was added in the present case. During further investigation, offence under Section 420 of Indian Penal Code was added.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case on the basis of a supplementary statement and a disclosure statement made by co-accused, which would hardly carry any evidentiary value.
4. On the other hand, learned State counsel since pursuant to arrest of the petitioner he led the police party and got recovered 16 boxes of country made

pistol and also a toy pistol, his complicity is clearly evident. Learned State counsel has, however, informed that the petitioner has been behind bars since the last about 4 months and that he is not involved in any other case.

5. Having regard to the facts and circumstances of the case and without commenting anything as regards merits of the case, the instant petition is accepted and the petitioner, who has been behind bars since the last about 4 months and is stated to be having a clean record, 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, as the conclusion of trial is likely to consume time.

**9.3.2022**

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**( Gurvinder Singh Gill )  
Judge**

Whether speaking /reasoned                      Yes / No

Whether Reportable                                  Yes / No