

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

(292)

CRM-M-38492-2021.
Date of Decision:-07.04.2022.

Wahid Hasan alias Vaidha

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Inderjeet Singh, Advocate for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

Mr. Adwiteya Grover, Advocate for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.142 dated 10.06.2021 under Sections 406, 420, 506 and Sections 467, 468, 471, 473 and 120-B (added later on) of IPC, registered at Police Station Chhachrauli, District Yamuna Nagar.

Learned counsel for the petitioner submits that as per the allegations in the FIR registered on the statement of Arif, it is stated that the persons named Wahid Hasan @ Vaidha-petitioner and Ali Hassan have taken truck of the complainant No.PB-11-BA-4795 on weekly basis and they were to pay rent of Rs.80,000/- per month w.e.f. 30.03.2021. However, later on they started making excuse of paying the rent and whenever he used to demand the rent, they send him back.

CRM-M-38492-2021

Counsel for the petitioner submitted that accused recorded supplementary statement on 18.06.2021 that by preparing forged papers of the truck whose number is changed to HR-58-B-6422 and have further sold the same.

It is further submitted that another supplementary statement was recorded by Arif on 17.07.2021 in which he had stated that he has made inquiry about his truck and came to know that the same is lying outside the Zohrat Police Post, Guwahati City, Assam in some case and a fake Number Plate UP-20-T-2613 is affixed on the same and again the allegations were leveled against the petitioner and Zakir Hussain.

Counsel for the petitioner submits that another 4th supplementary statement was recorded by complainant Arif that in the earlier statement he has wrongly given the name of Ali Hassan, whereas the main accused is petitioner Wahid Hassan alias Vaidha.

The counsel has referred to a photograph and video CD to submit that the truck having the Haryana Number is seen in presence of the complainant and co-accused. It is also submitted that in the GPA set up by the complainant, neither there is any signature of the accused nor any date is given, nor the same is a registered document to hold that the same was executed in accordance with law and in fact, the counsel submits that everything is manipulated by the complainant himself.

Learned counsel for the petitioner lastly argues that the petitioner is in custody since 09 months and 14 days and the challan has already been presented.

Learned State counsel filed custody certificate which is taken on record. He has not disputed the factual position as submitted by learned

CRM-M-38492-2021

counsel for the petitioner. However, learned counsel for the complainant submits that the petitioner is the main accused who has manipulated the number of the truck.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid facts, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

[ARVIND SINGH SANGWAN]
JUDGE

April 07, 2022.

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No