

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No. 217

Case No. : CRM-M-34759-2022

Date of Decision : September 14, 2022

Sukhdev		Petitioner
vs.		
State of Haryana		Respondent

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR.

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Present : Mr. Naveen Batra, Advocate
for the petitioners.

Mr. Neeraj Poswal, AAG, Haryana.

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NAMIT KUMAR, J. (Oral) :

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.270 dated 28.10.2020, under Sections 385, 403, 405, 406, 407, 415, 420, 425, 506, 201, 120-B IPC, registered at Police Station Chhapar, District YamunaNagar (Annexure P-1).

It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case as he has not been named in the original complaint as well as in the impugned FIR. Even no role is attributed to the petitioner. It was further contended that there was some money dispute regarding sale of a truck bearing No.HR-64-5574 between the complainant and one Gurchand and said Gurchand, in connivance with Balwinder Singh @ Binder (employer of the petitioner) dismantled the aforesaid vehicle. The only fault of the petitioner is stated to be working in the factory of Balwinder Singh @ Binder.

Learned counsel for the petitioners further submits that there is no likelihood of the petitioner tampering with the prosecution evidence.

On the last date of hearing, learned State Counsel was directed to file Status Report.

In compliance of the aforesaid order, Status Report by way of an affidavit of Parmod Kumar, HPS, Deputy Superintendent of Police, Yamuna Nagar, on behalf of State of Haryana, has been filed, which is ordered to be taken on record.

A perusal of the Status Report shows that the only role attributed to the petitioner is that he had cut into pieces the canter of the complainant, bearing registration No.HR-64-5574, for selling it to the junk dealer, with the help of a welding rod which was given to him by Gurchand through his employer Balwinder Singh @ Binder.

Heard learned counsel for the parties.

In view of the aforesaid facts and circumstances of the case, keeping in view the fact that the main dispute was between the complainant and aforesaid Gurchand; no other criminal case has been found to be registered against the petitioner; the petitioner was arrested on 24.06.2022; no useful purpose would be served by keeping him behind the bars, in order to secure the ends of justice.

Accordingly, without commenting upon the merits of the case, the present petition is allowed and the petitioner is directed to be released on regular bail, on his furnishing bail bonds/surety bonds, to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Yamuna Nagar.

September 14, 2022

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**(NAMIT KUMAR)
JUDGE**

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>