

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

226

CRM-M-48548-2021

Date of Decision: 05.01.2022

Ankit @ Amarjeet Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. S.S.Nain, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

(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 against him vide FIR No.326 dated 01.10.2020 at Police Station Kherki Daula, Gurugram, under Sections 407/419/420/467/468/471/411/120-B IPC.
2. The FIR was lodged at the instance of Kashmiri Lal, Manager of M/s Sandeep Logistic Company, wherein it has been alleged that the petitioner had been employed by the Company i.e. M/s Sandeep Logistic Company as a driver. It is alleged that on 29.09.2020, the petitioner had been assigned the job of transporting 4 Maruti vehicles from Gurugram to Gujarat and accordingly the petitioner had loaded 4 vehicles in Tralla bearing registration No.NL-01AC-8875. However, on 30.09.2020 when the complainant checked the location of the Tralla through GPS connection, he came to know that the location was of Jam Nagar

- Panchgaon, Gurugram near Indian Oil Pump. Thereafter, the complainant deputed someone to check-up the said Tralla, but nothing was found at the said place. Even the driver i.e. the petitioner Amarjeet could not be contacted through phone, as the phone was found to be switched off. Since it was suspected that the petitioner had taken away the vehicles, the FIR was lodged.
3. It is further the case of the prosecution that during the course of investigation, the GPS instrument as well as the Tralla were recovered abandoned from a place in Sikandra, UP. Later on the petitioner came to be arrested on 16.10.2020 and pursuant to his disclosure statement, one Jitender was arrested on 16.10.2020 and the stolen vehicles were also recovered. It was also discovered that in fact the true name of the petitioner-Amarjeet was Ankit.
 4. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that in any case since the vehicles allegedly stolen have already been recovered, further detention of the petitioner is not required.
 5. Opposing the petition, learned State counsel has submitted that it is the petitioner, who is the main accused and since during the course of investigation, it has also surfaced that the license furnished by the petitioner to the company of the complainant was a forged license, no case for grant of bail is made out particularly when he happens to be involved in one more case. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 1

- year & 3 months and that although challan already stands presented, but charges have not been framed and as many as 23 PWs have been cited.
6. I have considered rival submissions addressed before this Court.
7. Without commenting anything as regards the merits of the case, but while noticing that the petitioner has been behind bars for a substantial period of about 1 year & 3 months and that conclusion of trial is likely to consume time inasmuch as even the charges have not been framed so far, 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.

05.01.2022

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**(GURVINDER SINGH GILL)
JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**