

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

**CRM-M-24106-2022
DECIDED ON: 27.01.2023**

GURDEV ALIAS GABHA

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. R.K. Girdhwal, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

This is a petition seeking regular bail in FIR No.102, dated 12.06.2020, under Sections 379 of IPC, 1860 (offences under Sections 379-B, 412, 302, 34 of IPC, 1860 added later on) registered at Police Station Dujana, District Jhajjar, Haryana.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present FIR, wherein truck in question was being driven by his driver and the said vehicle was loaded with steel and iron and it is the vehicle, which was stolen at village Gudha, Tehsil and District Jhajjar.

The attention of this Court has been drawn to the fact that originally the FIR was got registered against Smt. Kulwant Kaur and during the course of investigation on a disclosure statement of another co-accused Tarun @ Tannu, the name of the petitioner has been roped in.

Learned State counsel has produced the custody certificate which is taken on record. According to the custody certificate, the petitioner is behind the bars for the last 2 years, 7 months and 7 days and there is no other case of any kind against the petitioner.

Looking into the totality of facts and circumstances and also the fact that out of total 24 witnesses only 7 witnesses have been examined so far; the petitioner is behind the bars for the last 2 years, 7 months and 7 days; the petitioner is not an habitual offender and the trial is likely to take some time, therefore, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition is, hereby, allowed.

(SANDEEP MOUDGIL)
JUDGE

27.01.2023

Meenu

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No