

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

**Criminal Misc. No. M-2752 of 2015
Date of decision: 16.02.2015.**

Ranjeet

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see judgment?**
- 2. To be referred to reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

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

Mr. Deepak Sabharwal, Addl. AG, Haryana,
for the respondent – State.

Daya Chaudhary, J.

The present petition has been filed under Section 439 Cr.P.C. on behalf of the petitioner-Ranjeet for grant of regular bail in case FIR No.684 dated 25.11.2014 registered under Sections 420/467/468/471/120-B of Indian Penal Code and Section 61/1/14 of Excise Act at Police Station Sadar Fatehabad.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas he has no concern with the alleged offence in any manner. Learned counsel further submits that the aforesaid FIR was registered on the basis of

secret information and recovery was made from the truck whereas the petitioner has no role to play in any manner as the petitioner was neither owner of the truck in dispute nor any recovery was effected from his possession. He was only working as cleaner. Learned counsel also submits that the offence is triable by the Magistrate and the petitioner is in custody since 25.11.2014. The challan has not been presented so far and no purpose would be served by keeping the petitioner in custody.

Learned State counsel has opposed the bail to the petitioner on the ground that the investigation is still in progress and the recovery was effected from the truck on the spot. Not only allegations of fake number plate are there but other fake documents were also used by the petitioner and his co-accused.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the documents available on the file.

As per allegations in the FIR, the petitioner and his co-accused were going in the truck where huge quantity of local as well as imported liquor was kept. They were not having any permit and false truck number was being affixed. Not only fake number plate was there but other forged documents were recovered from them to show the consignment of 980 boxes of super paint weighing 14700 kgs but on checking, it was found that they were carrying consignment of liquor on forged documents of bilti and receipts.

Simply by stating that the petitioner was working as cleaner, he does not become entitled for regular bail as the said consignment was being carried on fake documents by using forged number plate and other documents. It is also mentioned in the reply filed by the State that during course of investigation, one agreement dated 03.01.2014 to sell the truck in dispute in favour of Bahadur Singh, was found.

It has also been mentioned in the reply that although challan qua the present petitioner and his co-accused, Bahadur Singh has been submitted before the trial Court but other accused has not been intercepted so far.

Keeping in view the allegations levelled in the FIR as well as involvement of the petitioner in the offence and also the custody period, no ground is made out to grant regular bail to the petitioner at this stage.

Dismissed.

16.02.2015
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(DAYA CHAUDHARY)
JUDGE