

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-34504-2015
Date of decision: 13.10.2015

Phool Singh ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Bipan Ghai, Senior Advocate with
Mr. Paras Talwar, Advocate for the petitioner.
Dr. Sushil Gautam, DAG, Haryana.

Rajan Gupta, J.

This is a petition under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner under Sections 420, 406, 467, 468, 471, 120-B IPC and Section 7/10/55 of Essential Commodities Act at Police Station Sadar, Palwal, District Palwal, vide FIR No.538 dated 27.8.2015. Allegation against the petitioner is that he in conspiracy with co-accused Parveen was involved in the sale of Government wheat in open market, which was meant for distribution to poor strata of society.

Learned counsel for the petitioner has argued that petitioner is in custody since 27.8.2015 and case is triable by Magistrate. The contract of FCI was actually with co-accused Parveen who is related to the petitioner. He has been arraigned as an accused only due to his relations with main accused.

Prayer for bail has been opposed by the State counsel.

According to him, allegations against the petitioner are serious.

Heard.

Keeping in view the stand taken by the petitioner, period of his incarceration and the fact that case is triable by Magistrate, I am of the considered view that no useful purpose will be served by detaining the petitioner in custody during the pendency of trial. Thus, without expressing any opinion on the merits of the case, this petition is allowed and the petitioner is directed to be released on bail to the satisfaction of the trial court.

(RAJAN GUPTA)
JUDGE

13.10.2015
'Rajpal'