

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

CRM No.M-40600 of 2015

Date of decision: 09.12.2015

Sanjeev Kumar @ Babban

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Vikas Bishnoi, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana
assisted by ASI Pawan Kumar.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.193, dated 14.07.2015, registered under Sections 420, 467, 468, 471, 120-B IPC and Sections 61 of Excise Act, at Police Station Sadar Salhawas, District Jhajjar.

It is contended that the petitioner was not arrested from the spot and he has been falsely implicated in the instant case on the basis of disclosure statement of co-accused Jetha Ram and Naval. The petitioner is neither the owner nor a partner in any of the firm dealing in liquor as alleged in the FIR. The petitioner is in custody since 01.11.2015.

On the other hand, the learned State counsel opposes the prayer of bail and states that as per the investigation the petitioner is a partner in the firm M/s Gagan Wasu Signlinks Pvt. Ltd. The other two partners of the firm are yet to be arrested. The challan stands presented, however, the charges are yet to be framed.

I have heard learned counsel for the parties and perused the record.

Without advertng to the factual aspect of the matter with regard to the petitioner being partner of the firm and considering the fact that the challan qua the petitioner has already been presented and the charges are yet to be framed, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without advertng to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

09.12.2015

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(JITENDRA CHAUHAN)
JUDGE