

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

CRM No.M- 44553 of 2014(O&M)

Date of Decision: January 7, 2015.

Ajay Singh @ Mannu

..... PETITIONER (s)

Versus

State of Haryana

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Yesh Paal Malik, Advocate
for the petitioner.

Mr. Aditya Sanghi, Addl.AG, Haryana.

Mr. N.S.Shekhawat, Advocate
for the complainant.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

Petitioner prays for the concession of anticipatory bail in FIR No.361 dated 05.09.2014, under Sections 420/467/468/471/270/272/506 IPC and Section 63 of the Copyright Act, registered at police station Sonapat City, District Sonapat.

As per prosecution version, petitioner alongwith co-accused is

alleged to be engaged in illegal activity of manufacturing illegal tobacco as well as packaging of the same for selling/trading of the spurious product as branded product in the market. It is alleged that the petitioner was a supplier of raw material (tobacco) to co-accused Rahil and others.

Learned counsel for the petitioner submits that petitioner is being falsely implicated only on the basis of contradictory disclosure statements made by co-accused Rahil. Rahil on the first occasion on 19.09.2014 had not named the petitioner. Subsequently on 25.09.2014, co-accused Rahil names the petitioner as having supplied illegal tobacco to him. Petitioner is implicated on the basis of a disclosure statement made by co-accused Javed Khan as well. It is urged that there is no evidence on record to connect the petitioner with the alleged offence. Petitioner had joined investigation. No recovery is to be effected from him and no useful purpose would be served by taking him in custody. Two of the co-accused have been extended the benefit of regular bail.

Bail application is vehemently opposed by the learned counsel for the State as well as the complainant. It is submitted by learned counsel for the State, on instructions from ASI Joginder Singh, that petitioner has never joined investigation. Furthermore, one factory belonging to petitioner has been discovered where the activities of manufacturing and packaging of illegal tobacco are carried out. Custodial interrogation of the petitioner is required in order to find out the complete facts and details of other cases wherein the said activities may be carried out.

The co-accused Javed Khan was granted bail pending trial after having undergone imprisonment of more than three months. He was alleged to

be printing the labels/packaging material.

Serious allegations of supplying illegal tobacco have been levelled against the petitioner. A factory belonging to the petitioner has been discovered where manufacturing and packaging of illegal tobacco are carried out. Custodial interrogation of the petitioner is, thus, required in this case.

Keeping in view the facts and circumstances but without expressing any opinion on the merits of the case, it is not deemed appropriate to extend the benefit of anticipatory bail to petitioner in the present case.

Accordingly, this petition is dismissed.

January 7, 2015.
'om'

(**LISA GILL**)
JUDGE