

CRM-M-28348 of 2016
DECIDED ON: AUGUST 26, 2016

VIKASH

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Mohit Nehra, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

JASPAL SINGH, J (ORAL)

By virtue of this petition preferred under Section 439 Cr.P.C., petitioner has sought regular bail in case FIR No. 325 dated 16.04.2016 under Sections 420, 467, 468, 471, 120-B IPC and Section 61/1/14 of Excise Act, registered at Police Station Jhajjar.

As per the case of prosecution on April 16, 2014 in the area of Police Station Jhajjar, 520 boxes of full bottles and 199 boxes of quarter bottles of Revolution Extra Dry Gin were found from the truck being driven by one Mehboob without any licence or permit. The allegations against the petitioner are that he accompanied by one Naresh were following the said truck as guards, just to see that it may not be intercepted by the police or Excise Department. Otherwise, nothing was recovered from the car, in which, they were travelling. Petitioner is suffering incarceration since the date of his arrest i.e. April 16, 2014. Moreover, after completion of investigation, report under Section 173(2)

Cr.P.C. has already been presented and the trial Court is seized of the matter. The disposal of challan would certainly take long time and in such circumstances this Court is of the considered view that no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

Taking into consideration the afore-said facts and circumstances but without expressing any opinion on the merits of the case, instant petition is allowed and petitioner is ordered to be released on bail at the satisfaction of learned trial Court/Duty Magistrate.

AUGUST 26, 2016
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(JASPAL SINGH)
JUDGE

Whether	Speaking/Reasoned	Yes/No
Whether	Reportable	Yes/No