

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl. Misc. No. M-29245 of 2016
Date of Decision:-26.08.2016

Harpal Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr.Randeep S. Dhull, Advocate for the petitioners.

Mr.Manish Bansal, DAG, Haryana.

HARI PAL VERMA J.(Oral)

Prayer made in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.69, dated 24.07.2016, for offence under Sections 406, 420, and 120-B IPC, registered at Police Station, City Naggal.

Learned counsel for the petitioner contends the petitioner is merely a driver working on the vehicle owned by the contractor, namely, *M/s. Dull Earth Moves Kaithal* and, therefore, is not liable for the said offence.

On the other hand, learned counsel for the State submits that even if the petitioner is merely a driver, the cement meant for HUDA has been diverted by the contractor of course with the connivance of the petitioner.

I have heard learned counsel for the parties.

Considering the fact that the petitioner was a driver and employed with the said contractor, I deem it appropriate to allow the present petition for grant of regular bail.

Accordingly, the present petition is accepted and the petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

It is made clear that expression made here-in-above shall not be construed as an expression on the merits of the case and the trial Court shall be at liberty to decide the case on the basis of available evidence.

(HARI PAL VERMA)
JUDGE

August 26, 2016
Anjal

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No