

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

CRM-M-36480-2016

Date of decision: October 20, 2016

Hanuman

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. R.G.S. Saini, Advocate
for the petitioner.

Ms. Harpreet Kaur, DAG, Haryana
for the respondent-State.

JASPAL SINGH, J. (ORAL)

By virtue of the instant petition preferred under Section 439 of Code of Criminal Procedure, petitioner has sought bail, during the pendency of the trial, in case bearing FIR No.544 dated 23.08.2016, under Sections 420, 272, 273, 407, 467, 468 and 471 IPC and 7.10.55 of Essential Commodities Act, registered at Police Station Model Town, Panipat.

Shortly put, the allegations against the petitioner are that he got loaded animal feed which is alleged to be adulterated one on the truck during the midnight of 22/23.08.2016. The police party raided the factory belonging to Shambhunath and the petitioner was intercepted at the spot.

The contention of learned counsel for the petitioner is that petitioner has nothing to do with the animal feed (Khall). He is not aware whether the cattle feed was an adulterated one or not. He is working as a driver and was to transport the cattle feed at the instance of owner of the factory. The petitioner was arrested in this case on 23rd August, 2016 and after subjecting himself custodial interrogation, he has been remanded to judicial custody, meaning thereby, he is no more required by the Investigating Agency

for further interrogation. Moreover, Shambunath (owner of the factory), Ram

Tirath (Supervisor) and one an employee Satwinder Singh have already been arrested by the Police and they are still in custody. In the facts and circumstances of the case, nothing is to be recovered from the petitioner. Otherwise also, challan has been prepared, which is likely to be presented in the Court of Id. Jurisdictional Magistrate.

Taking into consideration the aforesaid aspects of the case but without expressing any opinion on merits, petition is allowed and petitioner is ordered to be released on bail on his furnishing requisite bonds at the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate

October 20, 2016*m. sharma***(JASPAL SINGH)****JUDGE****Whether Speaking/Reasoned****Yes/No****Whether Reportable****Yes/No**