

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

CRM-M-36860-2016 (O&M)
Date of decision : 27.10.2016

Azad Singh @ Alok

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Chanakya Pandit, Advocate for the petitioner.

Mr. Naveen Kaushik, Addl.AG, Haryana,
assisted by ASI Rajender Saini.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in FIR No.498 dated 29.06.2016, registered under Sections 272, 273, 420, 468, 471 and 120-B of the Indian Penal Code and Section 61 of the Excise Act, at P.S. Civil Lines, Karnal.

Contents that the petitioner is neither named in the FIR, nor arrested from the spot. Co-accused Amit and Anil were arrested from the spot, who made disclosure statement that they were employees of one Sunil, who has further named the petitioner as supplier of the chemicals in question. No recovery has been effected from the petitioner. He is in custody since 06.09.2016.

On the other hand, learned State counsel has opposed the instant petition. On instructions, learned State counsel submits that though the challan has been prepared, but the same has not been presented so far.

Heard.

The petitioner is behind the bars since 06.09.2016. He was neither named in the FIR, nor any recovery has been effected from him. The challan is yet to be presented, therefore, it can safely be inferred that the conclusion of the trial may take a considerable time.

Keeping in view the above and without adverting 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/Chief Judicial Magistrate/Duty Magistrate concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

27.10.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No