

CRM-M-15655-2018

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15655-2018

Date of Decision: 24th April, 2018

Dalip Verma & others

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Aditya Sanghi, Advocate,
for the petitioners.

Mr. Kuldeep Sharma, DAG, Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court for grant of regular bail by filing this petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.05, dated 04.01.2017, registered at Police Station Dabwali, District Sirsa, under Sections 406, 420 and 120-B of the Indian Penal Code.

It is the contention of the learned counsel for the petitioners that the petitioners and the complainants had entered into a contract and it is, during this process, transactions have taken place. The dispute primarily is of the civil nature where, because of the increase in the prices of the gas cylinders, the same were sought to be further transferred to the consumers, which led to a situation where some complaints were filed and in pursuance thereto, the bottling plants of the petitioner were sold which disturbed in the supply and consequently, spiral effect thereof, various FIRs have been

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registered against the petitioners. He contends that the offences are triable by a Magistrate. He states that the petitioners are in custody since 24.07.2017 and the challan has been presented but not even a single prosecution witness has been examined. Reference has also been made to the various orders, which have been passed by the Coordinate Bench where the persons, in similar FIR, has been granted the concession of regular bail. He states that the trial is not likely to conclude in near future and therefore, the petitioners be granted the concession of regular bail during the pendency of the trial.

On the other hand, counsel for the State has submitted that there are large number of cases registered against the petitioners not only in the State of Haryana but in the State of Rajasthan also. He contends that the petitioners be not granted the concession of bail, however, he, on instructions from SI Rakesh, P.S. State Crime Branch, Hisar, could not dispute the factual assertions as have been recorded above as submitted by the counsel for the petitioners.

Having considered the submissions made by the counsel for the parties and keeping in view the fact that the petitioners are in custody since long and further incarceration of the petitioners would not serve any useful purpose as also the fact that the trial is not likely to conclude soon because not even a single witness has been examined till date, the present petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

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The trial Court may impose any term or condition upon the petitioners while releasing them, which it may deem fit.

Any observation made herein-above shall have no bearing on the merits of the case during the trial in any manner.

(AUGUSTINE GEORGE MASIH)
JUDGE

24th April, 2018

Harish

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