

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM No.M- 20002 of 2018
Date of decision: 13.08.2018**

Jai Singh**.....Petitioner****versus****State of Haryana****.....Respondent****Coram: Hon'ble Mr. Justice Rajbir Sehrawat****Present:** Mr. Kuldeep Khandelwal, Advocate
for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

Rajbir Sehrawat, J.(Oral)

This is the petition under Section 439 Cr.P.C. for grant of bail pending trial to the petitioner in case FIR No.29 dated 21.02.2018 under Sections 420,273, 468,120-B IPC, Section 65 of Copy Right Act and Section 7/10/55 EC Act, registered at Police Station Barara, Distt. Ambala.

Learned counsel for the petitioner submits that the petitioner is only a transporter who used to carry the material by getting the transportation charges. It is further contended that the petitioner has no concern with the manufacturer of this spurious Ghee at all and he has no concern with manufacturing process or manufacturing enterprise; where this spurious Ghee was being manufactured. The petitioner is in custody since 22.02.2018. The charges in this case are yet to be framed. There is no other case against the petitioner.

On the other hand, learned State counsel, on instructions, from ASI Sarwan Kumar, has produced a custody certificate of the petitioner which shows that the petitioner has been in custody for 05 months and 21 days as of now. The custody certificate also shows that there is no other case mentioned against the petitioner. However, counsel submits that the petitioner was actively involved in transportation of the spurious Ghee, by taking extra charges. Therefore, he is liable to be prosecuted

for the offence.

In view of the above but without commenting upon the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail during the pendency of Trial subject to his furnishing bail bond/surety to the satisfaction of the trial Court/Duty Magistrate.

13th August, 2018
Manju

[RAJBIR SEHRAWAT]
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No