

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

**CRM-M-3721 of 2019(O&M)
Date of Decision: 31.01.2019**

Ashok Bhai

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr. Kunal Dawar, Advocate
for the petitioner.

Ms. Tanu Shree Gupta, DAG, Haryana

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HARINDER SINGH SIDHU, J.

This is a petition for regular bail in case FIR No. 586 dated 30.11.2018 registered at Police Station Sadar Ballabgarh, District Faridabad, Haryana, for the offences under Sections 420, 406 and 407 IPC.

The allegation in the FIR registered on the complaint of one Chaudhary Anil Kumar Bhai was that he is in the business of transportation of milk from Palwal to Amul Milk Plant at IMT Faridabad. On 20.11.2018 at about 4.40 AM his driver namely Mahesh left Palwal on a truck bearing registration No. GJ-02-Z-5439 for Amul Milk Plant, IMT Faridabad with a load of 20,800 Kgs. of milk. He reached there at 5.30 AM. The vehicle was weighed inside the milk plant. However, the milk was not unloaded. The value of the milk was Rs.9,50,000/- and that Mahesh alongwith other officials of the company embezzled the milk and caused huge loss to the complainant.

Learned counsel for the petitioner states that the petitioner was not named in the FIR. His name figured subsequently in the disclosure statement of co-accused Ajay Kumar. He states that the substantial part of the amount allegedly misappropriated has already been recovered from the petitioner and the other co-accused. The investigation in this case is complete. Challan has been filed in the Court. The other co-accused except Mahesh (driver of the vehicle) and Amit Chaudhary have been enlarged on bail. The petitioner is in custody since 28.12.2018.

Heard.

Since the trial is likely to take long time and in view of the fact that the petitioner has been in custody since 28.12.2018, the challan has been presented, no useful purpose would be served by keeping the petitioner behind the bars. Accordingly, the petition is allowed.

The petitioner be released on bail to the satisfaction of learned trial Court/Duty Magistrate Faridabad.

January 31, 2019
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(HARINDER SINGH SIDHU)
JUDGE

Whether speaking/ reasoned:

Yes

Whether Reportable:

Yes/No