

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5128-2019 (O&M)

Date of decision:07.03.2019

Lakshey Garg

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Atul Goyal, Advocate
for the petitioner.

Mr. K.S.Aulakh, DAG, Punjab.

RAJBIR SEHRAWAT, J. (ORAL)

Prayer in this petition filed under Section 439 of Cr.P.C. is for grant of bail pending trial in case FIR No.141 dated 10.12.2018 under Sections 272, 273, 420, 465, 467, 472, 473 of IPC and Sections 59/63 of Food Safety and Standards Act, 2006, registered at Police Station Cantt. Bathinda, District Bathinda.

Learned counsel for the petitioner contends that the petitioner has been wrongly involved in this case. The petitioner is not involved in any business activity of any kind whatsoever. Rather, the petitioner is a student of 12th Class. The petitioner has been involved in this case only because of the reason that he was driving a car in which his father was travelling. The allegation is that from the said car, spurious ghee was recovered. But, it is only father of the petitioner, who would know about the business aspect of any article lying in the car. The petitioner is in custody since 10.12.2018. The investigation of the case qua the petitioner is already complete and he is not required for any investigation purposes. The trial shall take a long time.

On the other hand, learned State counsel, being instructed by ASI Rajinderpal Singh, submits that the petitioner was found driving the car in which spurious ghee was transported. It is further submitted that from the factory owned by the father of the petitioner, chemicals and stickers meant for preparing and selling the spurious ghee were recovered. However, it is not denied that there is no specific recovery from the petitioner as such and that there is no other case against the petitioner.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

07.03.2019

Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No