

203 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19975-2020 (O&M)
Date of Decision: 21.09.2020

Parshant Bhardwaj

... Petitioner

v/s

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. N.D.Achint, Advocate for the petitioner.

Mr. Amrik Singh Narwal, DAG Haryana.

*(The case has been taken up through video conferencing on
account of Covid-19 pandemic)*

* * *

VIVEK PURI, J. (ORAL)

The petitioner has prayed for grant of regular bail in case FIR No.204 dated 29.6.2020, under Sections 120-B, 420 IPC, S. 63, 65 of Copyright Act & Section 7 of Essential Commodities Act, 1955, registered at Police Station Sector 50, Gurugram.

Briefly, the FIR has been registered on the allegations that on 29.6.2020, 68 bottles of hand sanitizer measuring 250 ML each were recovered from the shop of Mahesh, co-accused. It has been further alleged that Mahesh, co-accused was selling the sanitizer at a higher price.

It has been stated by learned counsel for the petitioner that the petitioner has been nominated on the basis of the disclosure statement of Mahesh, co-accused. The petitioner is a licensee running the business in the name and style of M/s Medicare Diagnostic Surgical Supplier and is not a manufacturer of the sanitizers. The arrest of the petitioner was effected on 5.7.2020, investigation of the case is complete and challan has already been presented in the Court. Furthermore, Mahesh, co-accused has already been

granted regular bail.

Learned State counsel, on instructions of SI Harish, has not disputed the factual aspect of the matter but has stated that the petitioner is involved in 8 other cases. It has been stated that petitioner has been acquitted in 5 cases and convicted and sentenced for fine only in one case and two cases; one under Arms Act and other under Section 323 and 506 IPC are pending trial.

May it be so, the petitioner has already been acquitted in 5 cases. Moreover, he has been sought to be nominated on the basis of the statement of co-accused from whom the recovery has already been effected. The petitioner is not a manufacturer of the sanitizers and is only stated to be a licensed supplier. The arrest of the petitioner was effected as back as on 5.7.2020, investigation of the case is complete, the challan has already been presented, conclusion of trial is likely to consume some time particularly, on account of restricted functioning of the Courts due to Covid-19 pandemic. In such circumstances, no fruitful purpose would be served by detaining the petitioner in custody.

Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

(VIVEK PURI)
JUDGE

21.09.2020

Janki

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No