

Sr.No.220

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

**CRM-M-50345-2019
Date of decision:23.01.2020**

Ashok Singh @ VIP

... Petitioner(s)

versus

State of Haryana

... Respondent (s)

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present: Mr. Amardeep Sheoran, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

Jasgurpreet Singh Puri, J.(Oral)

Present petition has been filed for seeking regular bail in FIR No.816, dated 17.10.2019 for the offences punishable under Sections 279, 336, 186, 420, 467, 468, 471, 120-B IPC and Section 61-1-14 of Excise Act, 1914, registered at Police Station Nuh, District Nuh.

Learned counsel for the petitioner has inter alia argued that in the present case the petitioner was not named in the FIR and he was nominated on the basis of disclosure statement of co-accused. Learned counsel for the petitioner has further argued that in the present case he was only a passenger who had taken lift in the private vehicle of the owner and he has further submitted that the main accused, namely, Ram Chander Dass who was driver of the truck has been enlarged on bail by the learned Additional Sessions Judge, Nuh on 08.01.2020.

Per contra learned State counsel on instructions from ASI Ravinder Singh states that recovery in this case was large and therefore, petitioner is not entitled for concession of regular bail. He has not disputed

the fact that that the main accused is already enlarged on bail.

Be that as it may, after hearing the learned counsel for the parties and after perusing the available record, it has transpired that petitioner was not named in the FIR. He was nominated only on the basis of the disclosure statement of the co-accused. Admittedly, main accused is enlarged on bail and the contention of learned counsel for the petitioner that the petitioner was only a passenger is a matter of evidence which can be seen at the time of trial.

Considering the totality of the circumstances as aforesaid, without expressing any opinion on the merits of the case, this Court deems it a fit case to admit the petitioner on regular bail. Consequently, the petition is allowed. It is ordered that the petitioner shall be released on bail on his furnishing bail bond/surety bond to the satisfaction of the trial Court.

23rd January, 2020
Shivani Kaushik

[JASGURPREET SINGH PURI]
JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*