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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9086-2021
Date of decision-03.03.2021

Amin @ Naveen @ Yamin

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amit Kumar Goyal, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.560 dated 31.10.2020 registered under Sections 285, 286, 420, 467, 471, 411, 120-B and 34 Indian Penal Code, 1860, Sections 20, 21 and 22 Fire Act, 2009, Sections 9-B and 12 Explosive Act, 1884 and Sections 61, 1 and 20 Excise Act, 1944 at Police Station Kundli, Sonipat. The petitioner is in custody since his arrest on 31.10.2020.

The FIR was registered on the basis of secret information and the allegations as noticed by the learned Addl. District & Sessions Judge, Sonipat in the order dated 03.02.2021 are as under:-

“As per the prosecution case, the applicant was found unauthorized cracker in huge quantity in his possession

without any permit or licence. He along with co-accused was also involved in preparing crackers in a factory without any permit or licence and thereby caused huge loss to the state exchequer.”

Learned counsel for the petitioner contends that the petitioner being a driver has been falsely implicated in the present case as he used to take the goods in his vehicle. He has invited the attention of the Court to order dated 12.01.2021 (Annexure P-3) to contend that co-accused-Sahil has already been granted the concession of regular bail by the trial Court. It is further pointed out that another co-accused, namely, Manoj Kumar Jain has also been released by this Court vide order dated 22.02.2021 passed in CRM-M-7468-2021. He further submits that investigation of the case is complete as the final report stands filed on 22.12.2020, however, charges are yet to be framed. He prays that the petitioner be released on regular bail.

On the other hand, learned State counsel assisted by SI Sumer has opposed the prayer, however, it is not disputed that the investigation of the case is complete. He further on instructions submits that case is fixed for 04.03.2021 before the trial Court for framing of the charges.

After hearing the learned counsel for the parties, this Court finds that the investigation of the case is complete and the trial is likely is likely to take considerable time to conclude as the charges are yet to be framed. Admittedly, the petitioner is presently confined in judicial custody after his arrest on 31.10.2020 and the co-accused of the petitioner have been released on bail, therefore, the further custody of the petitioner may not serve any useful purpose.

Resultantly, without meaning 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 trial Court concerned.

The petition is allowed.

03.03.2021

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(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No