

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.20257 of 2021
Date of Decision: August 03, 2021

Aqil alias Sameer

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Deepkaran Dalal, Advocate,
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.212 dated 29.04.2020, under Sections 188, 420, 467, 468, 471, 34, 120-B IPC, 1860, Section 51 Disaster Management Act, 2005 and Sections 27(A), 27(B)(II) and 27(D) Drugs and Cosmetics Act, 1940, registered at Police Station, Pataudi, District Gurugram, who is in custody since his arrest on 27.03.2021.

The allegations against the petitioner are that he had provided forged certificate of CE, certificates purportedly issued by WHO, GMP and also ISO certification to co-accused Sandeep and Sunder, who were allegedly found to be illegally manufacturing hand sanitizer.

Learned counsel for the petitioner has argued that as per allegations in the FIR, his co-accused namely Sandeep and Sunder were engaged in manufacturing hand sanitizer illegally without obtaining the necessary permissions/licence from the competent authority and the

petitioner is stated to have provided the fake certificates to the said co-accused. He submits that his co-accused have already been released on bail by the trial court vide order dated 07.07.2020 (Annexure P-4) and qua petitioner, the investigation is also complete as the final report was filed on 30.04.2021. He submits that the further custody of the petitioner may not be necessary and prays for bail.

On the other hand, the prayer is opposed by the learned State counsel, assisted by ASI Jai Bhagwan, on the ground that the petitioner was involved in commission of crime along with his co-accused. However, it is not disputed that the investigation in the case is complete and the charges are yet to be framed.

After hearing the learned counsel for the parties and considering the above background, this Court is of the opinion that as the co-accused have already been released on regular bail, the further detention of the petitioner may not be justified and the trial is yet to commence.

Resultantly, without meaning any expression of opinion on the merits of the case, the petition is allowed and 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/CJM/Duty Magistrate, Gurugram.

August 03, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No