

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

CRM-M-33021 of 2020

DECIDED ON: 19th JANUARY, 2021

Pawan

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Jai Vir Yadav, Advocate for petitioner.

Mr. Deepak Bhardwaj, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

The petitioner is before this Court for regular bail in case FIR No. 30 dated 16.2.2017 under Sections 420, 409, 406, 468, 120-B IPC, registered at Police Station Rampura (Rewari).

The facts in narrow compass are that FIR was registered as a result of a secret information that goods from Army Canteen (CSD) Rewari, were being sold to non-defence personnels. The information was acted upon, Sonu and Ramesh were apprehended while they were loading goods in a car bearing registration No.HR-36-Z-2691. In the disclosure statement of accused, the petitioner was named who was working as a Billing Clerk in the Canteen.

Learned counsel for the petitioner submits that the petitioner was not apprehended at the spot; no recovery is to be made and co-accused have already been granted bail.

Learned State counsel relies upon the status report dated 5.1.2021 and submits that the petitioner was working as a Billing Clerk and hence, was an active participant in siphoning off the canteen goods.

On 30.10.2020 while issuing notice of motion, the Court observing that investigation was already over, granted interim bail to the petitioner.

Considering the facts that co-accused have already been granted bail; investigation is complete and only challan is to be produced; the name of the petitioner surfaced only in the disclosure statement, the petitioner is granted bail subject to his furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

19th JANUARY, 2021

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**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned *Yes*

Whether reportable *Yes*