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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39398-2021 (O&M)
Date of decision-28.09.2021

Randeep @ Nanhe

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vinod Ghai, Senior Advocate with
Mr. Edward Augustine George, 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 in case FIR No.528 dated 05.11.2020 registered under Sections 272, 420, 467, 468 and 471 IPC, 1860 and Section 61, 4 and 20 of Excise Act at Police Station Kharkhoda, District Sonipat, who is in custody since his arrest on 07.11.2020.

The allegations as contained in the FIR and as noticed by the learned Additional Sessions Judge, Sonipat in the order dated 07.09.2021 read as under:-

“FIR registered at the instance of complainant Sub Inspector Pawan Kumar to the effect that on 5.11.2020 he alongwith other police official was on patrolling duty at Rohtak Road Kharkhoda when secret information was received that Ankit son of Sat Narain used to prepare illegal liquor in his house, situated at Adarash Nagar ward no.1 Kharkhoda. On this information SI Pawan

Kumar alongwith his fellow police officials reached at the place of occurrence where one person was found packing the liquor in quarter bottles. On asking he disclosed his name as Ankit. On checking chemical type liquor, 38 bags empty quarter total 8892, cover of bottles, packing machine, 30 leaf Hologram, total 1560, 2 canny, one plastic Bucket plastic and ADS, 27 label marka Santra Masaledar, and 395 quarter bottles of liquor country made Santra were recovered. Accused was arrested and he suffered disclosure statement involving several other accused in the business of illegal liquor. On the basis of this complaint present case was registered.”

Learned senior counsel has argued that the FIR was initially lodged against accused Ankit and subsequently on his disclosure statement another person namely, Mohit was indicted as co-accused. Later, in the similar manner on the basis of disclosure statement suffered by Mohit, various other accused persons including Satish were arraigned as accused and thereafter upon the statement of Satish recorded on 29.09.2020, the petitioner was also introduced as an accused. According to him, the nature of evidence collected by the prosecution qua the petitioner is comparatively weak and as the investigation of the case is complete, his further detention behind the bars may not be necessary. Learned senior counsel has further pointed out that the co-accused including Mohit have already been released on bail and has produced the order dated 04.03.2021 passed by this Court in CRM-M-9605 of 2021. He prays for bail.

Learned State counsel assisted by SI Ravinder has not disputed the above sequence of events regarding indictment of the petitioner as an

accused in the above FIR, but has vehemently opposed the prayer on the ground that he is involved in various other cases. He on instructions further states that the investigation of the case is complete as the final report stands filed on 05.01.2021, but he further states that the charges are yet to be framed.

After hearing the learned counsel for the parties and considering the above background as well as custody of the petitioner, this Court is of the opinion that as the petitioner's co-accused have already been released on regular bail, therefore, the further detention of the petitioner behind the bars may not be necessary for 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.

(MANOJ BAJAJ)
JUDGE

28.09.2021
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No