

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

CRM-M-2553 of 2022 (O&M)

DECIDED ON: 27th April, 2022

Bhagwan Dass

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Kartar Singh, Advocate for petitioner.

Mr. Amit Mehta, Sr. DAG Punjab.,

AVNEESH JHINGAN, J (ORAL)

This petition under Section 439 Cr.P.C. is filed seeking regular bail in case of FIR No. 73 dated 20.6.2019, under Sections 420, 406, 34 and 120-B IPC, registered at Police Station City-II Abohar, District Fazilka.

Kehar Singh complainant alleged that he had sold plastic dana to Amit Kumar and on instructions bill was generated in the name of Bhagwan Dass Proprietor of M/s M.L. Enterprises, Fatehabad. The goods were delivered at the godown of Amit Kumar. Hemant Goyal was sent by Amit Kumar for taking delivery of the goods. Petitioner is the father of Hemant Goyal.

Learned counsel for petitioner submits that taking the allegations at the highest, no active role is attributed to the petitioner, no recovery was made from the petitioner, the petitioner is in custody since 21.11.2021 bail was declined by Sessions Court on the ground that the petitioner was not disclosing whereabouts of his son.

Learned State counsel opposes the prayer for bail.

Without commenting upon the merits of the case, considering the nature of allegations and that though investigation qua petitioner is complete conclusion of trial is likely to take time, the petitioner has no criminal antecedents, bail is granted to the petitioner on 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.

27th April, 2022

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>