

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

CRM-M-8644 of 2022(O&M)

Date of Decision: 12.05.2022

Shahey Alam

...Petitioner

Versus

State of Haryana

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Sanawar Ali, Advocate
For the petitioner.**

Mr. Naveen Sheoran, DAG Haryana.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Cr.P.C. by the petitioner seeking regular bail in FIR No. 89 dated 17.02.2018, registered under Section 379 IPC at Police Station Ganaur, District Sonipat, to which Sections 406, 420, 467, 468, 471, 201 read with Section 120-B IPC were added lateron.

As per allegations appearing in the FIR complainant Gulbir Singh moved an application to the police in which he alleged that he being Transport Manager in DICT Company, hired one vehicle No. HR55B-545 belonging to Sticar Logistics Private Limited and sent the same to the area of GRM Overseas Limited Limited, Gohana near Sugar Mill Panipat for loading of bags of rice. Co-accused Bablu was driver of the said vehicle. After loading of the bags of rice, the said vehicle left the GRM Overseas Company, and the aforesaid consignment was sealed with the seal of Customs and then despatched to Mudra Port, Gujrat from where the same to be shipped to Bandad Abbas, Iraq. When the said

container/ consignment was opened the bags of sand were recovered instead of rice. The complainant suspected that bags were changed by aforesaid Bablu with the help of some other persons and accordingly FIR in the present case was registered.

The present petitioner was not named in the FIR. The main accused Bablu was arrested by the police and later on he was released on regular bail by this Court vide order dated 13.07.2018 (Annexure P-2). There are allegations that petitioner was nominated as an accused in the present case on the basis of alleged disclosure made by aforesaid Bablu.

The petitioner was arrested by the police on 20.01.2022 and presently he is lodged in judicial custody. As per State counsel, no incriminating article was recovered from the petitioner. On completion of investigation, police has presented the challan against all the accused persons including the petitioner. Admittedly, it will take time for the trial to conclude. Co-accused has already been granted the concession of regular bail. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

12.05.2022

Jiten

**(KARAMJIT SINGH)
JUDGE****Whether speaking/reasoned : Yes/No****Whether reportable : Yes/No**