

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

**Criminal Misc. No.M-9500 of 2022(O&M)
Date of Decision: March 17, 2022**

Salamuddin

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

--

Present: - Mr.H.S.Rajput, Advocate
for the petitioner.

Mr.Saurabh Girdhar, AAG, Haryana.

-

HARINDER SINGH SIDHU, J.

The petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.10 dated 08.01.2022 under Sections 279, 336, 427 IPC (Sections 420, 467, 468, 471, 473, 201, 120-B IPC added later on) and Section 61 of Punjab Excise (Haryana Amendment Bill, 2020) Act, Police Station Behal, District Bhiwani.

The version of the prosecution is that on 08.01.2022, a container displaying Reg.No.RJ14GD-8007 struck against the motorcycles bearing Reg.No.HR-18A-8269 and HR-48C-4915 belonging to the complainant Kuldeep in front of his Welding shop at Village Sirsi. The motorcycles overturned in the accident. The complainant alleging that damage was caused to the motorcycles and his other properties, intimated the Police. On search of the container the police found fictitious High

Security Number Plates as well as forged documents. Large quantity of Liquor was found in the said Container. Photocopy of Aadhar Card of Salamudeen (petitioner) was also found in the said Container. Accordingly, the Police arrested the petitioner on 11.01.2022. On interrogation, he named co-accused Angpal and others. Co-accused Angpal was arrested on 12.01.2022. He disclosed that he had paid Rs.9,00,000/- to co-accused Amit alias Mintu alias Bintu for providing liquor from a vend at Samargopalpur in District Rohtak and taking the same to Gujarat. Thereafter, co-accused Anil was arrested on 14.01.2022. He disclosed that he got the said liquor loaded in the Container from a liquor vend at Samargopalpur in District Rohtak on the asking of co-accused Amit @ Mintu. Thereafter, on 15.01.2022, the Police arrested co-accused Rajbir, who also disclosed the facts as stated by petitioner Salamudeen.

Ld. counsel for the petitioner submits that the petitioner Salamudeen was working as Cleaner/Helper on the Container which met with the accident. He has nothing to do with the alleged vehicle or the recovered liquor, nor he was in any manner associated with the fictitious High Security Number plates of the vehicle. The liquor was loaded by co-accused Anil at the instance and asking of co-accused Amit and his co-accused Amit @ Mintu.

Ld. counsel further submits that Co-accused Amit has since been granted interim anticipatory bail by this Court. The Liquor vend Samargopalpur, Rohtak, from where the alleged liquor was loaded in the Container is in the name of one Ameer Singh. The petitioner was just

working as helper/cleaner on the Container to earn his livelihood. He has been behind bars since 11.01.2022.

In view of the above, without expressing any opinion on the merits of the case, this petition is allowed. The petitioner is directed to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

March 17, 2022

(HARINDER SINGH SIDHU)
JUDGE

gian

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No