

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10220-2022(O&M)
Date of decision : 06.04.2022

Anil Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Pradeep Duhan, Advocate for petitioner.

Mr. Saurabh Girdhar, AAG Haryana.

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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 Canter. Photocopy of Aadhar Card of Salamudeen was also found in the said Canter. Accordingly, the Police arrested the Salamudeen 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

Gujarat. Thereafter, Anil (petitioner) was arrested on 14.01.2022. He disclosed that he got the said liquor loaded in the Canter 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 Salamudeen.

Learned counsel for petitioner states that though it is alleged that petitioner had 40% partnership in the liquor vend, however, there is no document on record to substantiate this. He states that liquor vend has been allotted to one Amir Singh who in turn has executed a power of attorney in favour of one Amit son of Sajjan. He states that even as per prosecution, there is no involvement of petitioner in preparing forged documents or arranging the vehicle. The only allegation is that he got the liquor loaded in the container on the asking of Amit. The petitioner is in custody since 14.01.2022.

Considering the aforesaid facts and circumstances, no useful purpose would be served by keeping the petitioners behind bars. Hence, petition is allowed. Petitioner-Anil Kumar is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

April 06, 2022
sjks/gian

(HARINDER SINGH SIDHU)
JUDGE

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No