

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

**CRM-M-28962-2022  
Date of Decision:29.10.2022**

Vikas @ Vikas Singh

...Petitioner

vs.

State of Haryana

...Respondent

**Coram :    Hon'ble Mr. Justice N.S.Shekhawat**

**Present :**    Mr. Satbir Singh Gill, Advocate  
for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana.

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**N.S.Shekhawat J. (Oral)**

The petitioner has filed the instant petition under Section 439 Cr.P.C. with a prayer to grant a regular bail in case FIR No.433, dated 18.11.2021 (Annexure P-1) under Sections 420, 506 of IPC, Section 3(2)(a) and 3(2)(d), 7 and 10 of Essential Commodities Act, 1955, Sections 7, 12, 19 of the Fertilizer (Control) Order 1985, Sections 25 and 27 of Arms Act, 1959 and Section 65 of the Copy Right Act, 1957 (Amendment 2012) (Later Sections 25, 27 of Arms Act 1959 deleted and Section 120-B IPC added) registered at Police Station Ellenabad, District Sirsa.

Learned counsel for the petitioner submits that the petitioner has not named in the FIR and has been falsely implicated after due deliberations and consultations to save the real culprits. Still further, the godown in question, from where the alleged fertilizer, bags etc. have been recovered, does not belong to the petitioner and he had no concern or connection either with the said godown or with the material lying in the said godown. He further submits that the FIR in the instant case was registered on 18.11.2021, whereas, he has been arrested on 03.06.2022 i.e. after more than six months of registration of

the FIR. He further submits that there is no evidence on record to connect the petitioner with the crime and has not committed any offence. Still further, learned counsel for the petitioner relies upon the Annexures P-2 and P-3, to contend that similarly placed co-accused have been granted the concession of bail by the Competent Courts. Learned counsel for the petitioner further submits that the investigation in the present case is complete and the challan has been filed.

Learned State counsel has vehemently opposed the prayer made by the petitioner and submitted that serious and specific allegations have been levelled against the present petitioner and he does not deserve the concession of regular bail.

I have heard the learned counsel for the parties and perused the record with their able assistance.

It is not in dispute that the charge under the Arms Act has already been dropped by the police. Even most of the co-accused of the petitioner have been granted the concession of bail and the investigation has been completed in the instant case.

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/Illaq Magistrate/Duty Magistrate/Chief Judicial Magistrate, concerned.

**(N.S.SHEKHAWAT)**  
**JUDGE**

**29.10.2022**  
hemlata

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No