

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-37292-2022

Date of decision : 26.08.2022

Vicky

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Harish Sharma, Advocate
for the petitioner.

Mr.M.S. Bajwa, DAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR no.59 dated 09.06.2022 registered under Section 420 IPC and Sections 103 and 104 of the Trade Marks Act, 1999 at Police Station Doraha, District Ludhiana.

Learned counsel for the petitioner has submitted that the petitioner has been in custody since 12.06.2022 and the investigation is complete and the challan has already been presented and there are 16 witnesses and out of which, none have been examined and thus, the trial is likely to take time and the petitioner is not involved in any other case. It is further submitted that the petitioner is not even the owner of the factory godown from which the duplicate products of Tata salt, Patanajali Mustard oil and Harpic toilet cleaner products have been recovered and it is one Vikram Singh, who is the owner of the said factory. It is further submitted

that the petitioner is only a contractual labourer and is working on daily wages.

Learned State counsel, on the other hand, has opposed the present petition for regular bail and has submitted that after the information was given by the complainant, a raid was conducted in the factory which was owned by Vikram Singh and the petitioner was also found to be present there and thus, the petitioner does not deserve the concession of regular bail.

This Court has heard learned counsel for the parties and has perused the paper book.

The petitioner has been in custody since 12.06.2022 and the investigation is complete and the challan has already been presented and there are 16 witnesses and out of which, none have been examined and thus, the trial is likely to take time and the petitioner is stated to be not involved in any other case. The petitioner is not the owner of the factory godown from where the recovery of duplicate products of Tata salt, Patanajali Mustard oil and Harpic toilet cleaner have been effected and as per the case of prosecution, the petitioner is only a contractual labourer and an illiterate person.

Keeping in view the above said facts and circumstances, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail / surety bonds to the satisfaction of the concerned trial Court/ Duty Magistrate and subject to him not being required in any other case.

Nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently

of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

August 26, 2022
Davinder Kumar

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