

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

CRM-M-49475 of 2021 (O&M)

DECIDED ON: 29th March, 2022

Mohmmad Naim

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Yashveer Kharb, Advocate for petitioner.

Ms. Dimple Jain, AAG Haryana.

AVNEESH JHINGAN, J (ORAL)

The petitioner is before this Court for grant of regular bail in case of FIR No.443 dated 6.8.2021, under Sections 406, 420, 468, 471, 120-B IPC, registered at Police Station Sampla, District Rohtak.

As per the allegations in the FIR, goods were loaded in truck bearing registration No. UP-21-CN-5327, for transportation from Hassangarh to Siliguri. The truck was owned by Jitender Singh and Jane Alam was the driver. The petitioner is the owner M/s New Habibi Transport Company, from whom the truck was hired. As per the allegations, the goods were not delivered at destination.

Learned counsel for petitioner submits that the petitioner is in custody since 5.10.2021. He was merely acting as a broker between the hirer and the truck owner. He further submits that the truck was recovered. The driver and owner who are main accused are in custody, investigation is complete and no recovery is to be made.

Learned State counsel opposes the prayer and submits that the goods loaded in the truck are yet to be recovered, however, she fairly submits that challan stands presented.

Without commenting upon the merits of the case, considering the role attributed to the petitioner, the fact that truck has been recovered and driver and owner are in custody and that though investigation is complete but conclusion of trial is likely to take time, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

29th March, 2022
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>