

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-53021-2021

Date of Decision: 7th May, 2022

Ramesh Kumar

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Raj Mohan Singh, Advocate for the petitioner.

Ms. Geeta Sharma, DAG, Haryana.

AVNEESH JHINGAN, J (Oral):

This petition under Section 439 of the Code of Criminal Procedure is filed seeking regular bail in FIR No.226 dated 19.10.2021 under Sections 420, 120-B, IPC, 1860 and Section 7 of the Essential Commodities Act, 1955 and Section 3 of the Fertilizer Movement (Control) order, 1985, P.S. Bhattu Kalan, District Fatehabad.

As per the allegations the petitioner along with his co-accused were apprehended by the police while illegally transporting fertilizer to Rajasthan.

Learned counsel for the petitioner submits that the petitioner is in custody since 19.10.2021, investigation is complete, challan stands presented and no recovery is to be made. He relies upon the order granting bail to the co-accused.

Learned State Counsel opposes the prayer for grant of bail and submits that the petitioner was owner and driver of the vehicle from which

the fertilizers was recovered.

Without commenting on the merits of the case, considering that the co-accused was granted bail, no further recovery is to be made, the petitioner is in custody since 19.10.2021 and *albeit* investigation is complete but conclusion of trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

[AVNEESH JHINGAN]
JUDGE

7th May, 2022
anuradha

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |