

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

CRM-M No.52994 of 2021 (O&M)

Date of Decision: 15.02.2022

Sukh Ram

.....Petitioner.

Versus

State of Haryana

.....Respondent.

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

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

Ms. Ambika Sood, Addl. A.G, Haryana.

MEENAKSHI I. MEHTA, J.(Oral)

The petitioner herein seeks the relief of regular bail in the criminal case arising out of the FIR bearing No.226 dated 19.10.2021 registered at Police Station Bhattu Kalan, District Fatehabad, under Sections 420, 120-B IPC, Section 7 of the Essential Commodities Act, 1955 and Section 3 of the Fertilizer Moment (Control) Order, 1985, with the allegations that he, along-with his co-accused named Ramesh, was apprehended by the police and the Canter, in which they were travelling, was found to be carrying the bags, containing fertilizer, for the illegal transportation of the same to Rajasthan.

Learned State counsel has forwarded the '*Pairvi-Report*' to the Court through *e-mail* and its print-out has been placed on the file.

I have heard learned counsel for the petitioner as well as learned State counsel in the instant petition and have also perused the file

thoroughly.

Learned counsel for the petitioner contends that the petitioner is neither the owner nor the driver of the afore-said Canter and rather, he is alleged to be accompanying the Driver/Owner thereof as the Cleaner/Helper only and moreover, he is behind the bars since the date of his arrest, i.e 19.10.2021 and the Challan has already been presented but the charges are yet to be framed in this case and the petitioner is also not involved in any other criminal case and in these circumstances, he deserves the relief as prayed for in this petition.

Learned State counsel does not dispute the afore-referred factual position.

Keeping in view the above-discussed facts and circumstances as well as the facts that the trial of the case is yet to commence and thus, the same is likely to take sufficient time to conclude and without commenting or expressing any opinion on the merits of the case, the petitioner named Sukh Ram is ordered to be released on regular bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

The instant petition stands allowed accordingly.

February 15, 2022
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*