

**CRM-2316-2022 and
CRM-43933-2021 in/and
CRM-M-52506-2021 (O&M)
Date of Decision: 09.02.2022**

Anil @ Nepali

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Naresh Jain, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

CRM-2316-2022

Vide this application, advancement of the date of hearing in the accompanying petition is sought, with learned counsel submitting that a co-accused of the petitioner, on whose alleged disclosure statement the petitioner has been named as an accused, i.e. Harish alias Monu, has already been admitted to bail by this court vide an order passed on 14.12.2021 in CRM-M-27087-2021.

Notice in the application.

On the asking of the court, Mr. Neeraj Poswal, A.A.G., Haryana, accepts notice on behalf of the respondent-State.

In view of the above, the application is allowed and the date of hearing in the accompanying petition is advanced to today itself, with learned State counsel having received instructions in the matter.

CRM-M-52506-2021

This petition has been filed under the provisions of Section 439 of the Cr.P.C., for grant of 'regular bail' to the petitioner in case FIR No. 302, dated 17.05.2021, registered at Police Station Rai, District Sonipat, for the alleged commission of offences punishable under the provisions of Sections 188/269/270/420/465/467/468/471/120-B of the IPC, Sections 61/4/20 of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020) and Section 51(B) of the Disaster Management Act, 2005.

Though learned State counsel could not deny the factual position of a co-accused having been admitted to bail, he submits that the petitioner was involved in the illegal selling of liquor and consequently, he does not deserve to be admitted to bail.

Having considered the matter, the petitioners' name admittedly having been disclosed by a person who has already been admitted to bail by this court on the ground that he had been in custody for some time and with the trial still to commence at that stage, the petitioner in the present case obviously having been in custody for a longer time now, without making any comment on the actual merits of the case, the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/Duty Magistrate/Chief Judicial Magistrate concerned.

It is however to be noticed that in the aforesaid order admitting his co-accused Harish to bail, a petition filed under the provisions of Section 438 of the Cr.P.C. by one Gurmail Singh, is seen to have been dismissed by

this court.

CRM-43933-2021

Vide this application, the applicant (petitioner in the accompanying petition), seeks to place on record a disclosure statement Annexure P-5.

The petition already having been allowed simply on the ground of long custody of the petitioner, this application has been rendered infructuous for the purpose of this petition and is disposed of as such.

February 09, 2022
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.