

CRM-M-53530-2021

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

CRM-M-53530-2021

Date of decision:07.01.2022

Mandeep Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Arnav Sood, Advocate,
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.332 dated 01.06.2021, registered at Police Station Zirakpur, District SAS Nagar, under Sections 419, 420 and 120-B IPC and Sections 51(a) and 53 of the Disaster Management Act, 2005.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that no recovery of Ramdesivir and Amphonex Injections had been effected from the petitioner; that there are allegations against Amit Kumar Singh that he had cheated the people, on the pretext of delivering the aforesaid injections to the needy persons in contravention of the guidelines issued by the Government; that recovery of Rs.9,50,000/- stands effected from co-accused Amit Kumar Singh; that the petitioner has been in custody since 03.06.2021, and that co-accused Kulwinder Kumar and Amit Kumar Singh stand enlarged on bail by this Court, vide orders dated 12.10.2021 and

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29.11.2021 (Annexures P-3 and P-2, respectively). On this premise, the learned counsel prays that the petitioner be released on bail.

On the other hand, learned State counsel, while opposing the submissions made by the learned counsel for the petitioner for the grant of bail, submits that the the petitioner in connivance with the co-accused had transferred the amount in the account of co-accused Amit Kumar Singh, on the pretext of delivering the aforesaid injections to the needy persons in contravention of the guidelines issued by the Government. However, he does not dispute the custody period of the petitioner.

I have heard the learned counsel for the parties.

The recovery, whatsoever, had been effected from co-accused Amit Kumar Singh, who is already on bail. As noticed above, co-accused Kulwinder Kumar stands enlarged on bail. All the offences are triable by the Magistrate. The petitioner has been in custody since 03.06.2021. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

07.01.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No