

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-586-2024

Date of Decision: February 13, 2024

NILESH KUMAR .....Petitioner  
Versus  
STATE OF HARYANA .....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Gurbir Singh Sidhu, Advocate and  
Mr. Rajiv Kumar Saini, Advocate for the petitioner.  
Mr. Rajiv Sidhu, DAG, Haryana.\*\*\*\*

HARKESH MANUJA, J. (ORAL)

1. By way of this second petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No.174 dated 24.03.2023 registered under Sections 379, 420, 467, 468, 471 & 120-B IPC and Sections 18A and 18(c) of Drugs and Cosmetics Act, 1940 at P.S. Hisar City District Hisar wherein the petitioner was implicated on the basis of disclosure statement made by co-accused Anirudh who was implicated on the basis of disclosure statement made by Parveen for having supplied anti-rabies vaccine injections which were meant for usage in the Government Hospitals within the State of Bihar.
2. The prayer made herein has been opposed at the instance of learned State counsel while submitting that the petitioner is the main supplier who is working in Health department of Government of Bihar and was supplying anti-rabies vaccine injections to the co-accused from the supply meant to be used in Bihar Government Hospitals and has thus, in a way caused mistrust to the public at large.

3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.
4. In the present case, investigation stands concluded with the filing of challan followed by framing of charges. The petitioner is behind the bars for a period of almost 8 months by now and the case is triable by magistrate. Moreover, the co-accused namely Parveen has already been granted the concession of regular bail vide order dated 08.01.2024 passed by this Court in CRM-M-51617-2023. Considering the aforesaid facts and circumstances, this Court does not find justification to extend his incarceration any further.
5. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

13.02.2024  
Tejwinder

(HARKESH MANUJA)  
JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |