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

**CRM-M-30795-2024 (O&M)**  
**Date of Decision: 24.07.2024**

Sanjay

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. Ashwani Gaur, Advocate,  
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

**MAHABIR SINGH SINDHU. J.**

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short “Cr.P.C”) for seeking bail pending trial in FIR No.646 dated 05.10.2023 registered under Sections 420, 467, 468 & 471 of the Indian Penal Code, 1860 (for short “IPC”) and Sections 18 & 29 of Insecticides Act, 1968 and Sections 63 & 65 of Copy Right Act, Sections 103 & 104 of Trademarks Act, 1999 (Section 467 IPC was deleted in the final report), at Police Station, Shivaji Colony, District Rohtak.

2. Allegations are that petitioner had stored fake medicines and chemical fertilizer, without any registration and he was illegally supplying the same in market.

3. Learned counsel contends that petitioner is in custody since 31.03.2024; report under Section 173 Cr.P.C was presented on 20.05.2024, but charges are yet to be considered. Also contends that prosecution has to examine 17 witnesses; thus, trial will take long time.



4. Learned State counsel after getting instructions from the quarter concerned is not able to dispute the above factual position, but he vehemently opposed the prayer of petitioner.
5. Heard learned counsel for the parties and perused the paper book.
6. From records, it transpire that petitioner is in custody since 31.03.2024; report under Section 173 Cr.P.C has already been presented, but charges are yet to be considered; thus, trial will take long time; hence, further incarceration of the petitioner would not serve any purpose.
7. Consequently, petition is allowed; petitioner is ordered to be released on bail subject to furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.
8. Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).
9. The above observations be not construed as an expression of opinion on the merits of the case.
10. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Haryana would be at liberty to move an appropriate application for recalling of this order.

Also clarified that non-appearance of the petitioner before learned trial Court shall be construed as misuse of concession of bail.

Pending criminal miscellaneous application(s), if any, shall also stand disposed off.

24.07.2024  
SN

(MAHABIR SINGH SINDHU)  
JUDGE

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