

CRM-M-31826-2024
CRM-M-39301-2024
CRM-M-42119-2024

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228/239/244

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Date of decision:-04.10.2024

1. CRM-M-31826-2024

RAVINDER ... Petitioner
Versus

STATE OF HARYANA ... Respondent

2. CRM-M-39301-2024

SURESH ... Petitioner
Versus

STATE OF HARYANA ... Respondent

3. CRM-M-42119-2024

AMIT ALIAS MITTU ... Petitioner
Versus

STATE OF HARYANA ... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr.Chanderhas Yadav, Advocate for the petitioner
in CRM-M-31826-2024.

Mr. Manoj Sharma Advocate and
Mr. Kuldeep Sheoran, Advocate for the petitioner
in CRM-M-39301-2024 and CRM-M-42119-2024

Ms. Gaganpreet Kaur, DAG, Haryana.

SANJIV BERRY, J.(ORAL)

All the three bail petitions arising out of the same FIR are taken
up together for disposal.

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2. Learned State counsel has filed custody certificates dated 02.10.2024, 03.10.2024 and 04.10.2024, respectively in the aforesaid cases, the same are taken on record and copies thereof, have been supplied to the counsels opposite.

3. The instant petitions have been preferred by the petitioner under Section 439 of the Criminal Procedure Code for grant of regular bail in the following case (Annexure P-1):-

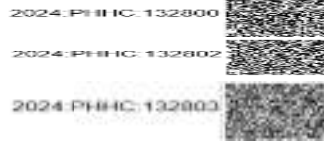
FIR No.	Dated	Sections	Police Station
191	12.06.2023	420, 467, 468, 471, 120-B IPC and 61 of the Excise Act	Khol, Tehsil and District Rewari

4. Arguments heard.

5. It is *inter alia* contended by learned counsels for the petitioners that the petitioners are innocent, having no concern with the alleged transactions but have been falsely implicated in this case. They contends that petitioner Ravinder, Suresh and Amit @ Mittu are in custody since 29.02.2024, 22.05.2024 and 19.05.2024 respectively and as per the allegations petitioner Ravinder happens to be owner of the alleged truck whereas Amit @ Mittu is alleged to be the occupant of escorting vehicle and Suresh is alleged to have provided SIM card to the co-accused. They contend that no recovery of contraband has been effected from the possession of the petitioners and after completion of investigation, challan has already been presented in Court in the case triable by the Court of Magistrate and it will take sufficient long time to conclude, as such they pray for grant of concession of bail to the petitioners.

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6. *On the other hand*, learned State counsel referring to the replies submitted by the State has assailed these arguments by submitting that the petitioners happen to be the members of gang running inter-state liquor trade. She submits that Ravinder happens to be the owner of truck from which contraband was recovered, although he was not driving the vehicle and the driver thereof has been apprehended from the spot and petitioner Amit @ Mittu was allegedly in the vehicle escorting the said truck while petitioner Suresh has alleged to have provided SIM card, hence they do not deserve concession bail.

7. After considering the rival contentions and perusing the record, it transpires that specific roles have been attributed to the petitioners, however, no specific recovery has been effected from the petitioners and they are in custody since 29.02.2024, 22.05.2024 and 19.05.2024 respectively, and after completion of investigation, challan has already been presented in Court. The conclusion of trial, to ascertain criminal liability, if any of the petitioners in the present case, will take sufficient long time.

8. In these circumstances, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioners behind bars. Therefore, the present petitions are allowed. The petitioners are ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

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- 9. All the three petitions stands allowed.
- 10. Any observation made above shall not be construed as opinion of this Court on the merits of the case.
- 11. Photo-copy of this order be placed on the connected files.

(SANJIV BERRY)
JUDGE

04.10.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |