



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

CRM-M-35989-2024
Date of decision: 23.01.2025

Sajid Ali @ Sajji

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Talim Hussain, Advocate for the petitioner.

Mr. Karan Garg, AAG, Haryana.

Ms. Rosi, Advocate for the complainant.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 483 of BNSS 2023 seeking grant of regular bail to the petitioner in case having FIR No.0071 dated 06.03.2024, under Sections 406, 420 and 120-B IPC, registered at Police Station Sadar Nuh, District Nuh.

2. As per the allegations appearing on record, petitioner was driver of truck No.RJ-11-GC-1729 owned by the complainant and petitioner was deputed to transport beetle nuts worth Rs.64,83,750/- from Karnataka to Delhi on 23.02.2024. However, the truck did not reach its destination within the stipulated period and the matter was reported to the police. Thereafter, petitioner was arrested and recovery of empty truck was effected at the instance of the petitioner, who disclosed to the police that he had sold the beetle nuts. After completion of investigation, police presented challan against the present petitioner.



3. The counsel appearing on behalf of the petitioner inter alia submits that the petitioner is falsely implicated in the present case and is in custody for the last more than 8 months and 20 days and is having no criminal history. The recoveries are already effected in this case and during trial, all the private witnesses including the complainant are examined. That however, the trial is not going to be concluded in the near future. So, prayer is made that the petitioner be released on regular bail, pending trial.

4. The present petition is resisted by the State counsel and the counsel appearing on behalf of the complainant. It is submitted on behalf of the State and complainant that the petitioner has committed serious offence and the complainant while appearing in the witness box has supported the case of prosecution. However, the State counsel has not disputed the fact that the petitioner is behind bars for last more than 8 months and is having no criminal history. The State counsel also apprised the Court that complainant and some other private witnesses are examined but it will take time for the trial to conclude.

5. I have considered the submissions made by counsel for the parties.

6. All the offences are triable by the Court of Judicial Magistrate Ist Class. During investigation, the recovery of the truck in question and certain cash was effected. The petitioner is in custody for the last more than 8 months and 20 days and is not facing any another criminal case. During trial, complainant has been examined and copy of his deposition is sent by the learned trial Court in compliance of the previous order. It is also brought to the notice of the Court that the other private witnesses are also examined.

It being so, there is no apprehension that if the petitioner is released on regular bail, he is going to influence the material witnesses. As it will take time for the trial to conclude, the further detention of the petitioner in judicial custody is not going to serve any purpose.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

23.01.2025
Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-	Yes/No
Whether reportable:-	Yes/No