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

1.   **CRM-M-14450-2023**

Bijender

. . . . Petitioner

Vs.

State of Haryana

. . . . Respondent

****

2.   **CRM-M-18156-2023**

Purna Vishwakarma

. . . . Petitioner

Vs.

State of Haryana

. . . . Respondent

****

3.   **CRM-M-18192-2023**

Anil

. . . . Petitioner

Vs.

State of Haryana

. . . . Respondent

****

4.   **CRM-M-18597-2023**

Rakesh Paswan

. . . . Petitioner

Vs.

State of Haryana

. . . . Respondent

****

Date of Decision: 31.07.2023
****

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA
****

Present: -   Mr. Sushil Jain, Advocate,
for the petitioner (in CRM-M-14450-2023)

Mr. Sanjeev Bishnoi, Advocate, for the petitioner
(in CRM-M-18156-2023, CRM-M-18192-2023 & CRM-M-18597-2023)

.   Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. Sanjiv Kumar Aggarwal, Advocate, for
Mr. Ojas Bansal, Advocate, for the complainant.

****

DEEPAK GUPTA, J.

Prayer in all the four petitions titled above is for grant of regular bail in case FIR No.26 dated 04.02.2023 registered at Police Station Rai, District Sonipat under Section 381 of the Indian Penal Code.

2.   FIR was lodged on the complaint of Rahul Mishra, Public Relation Officer in Company No.507-508/491, HSIIDC, Rai, as per which he had been provided information that some officials of the company in connivance with each other had stolen and sold processed chicken of the company. On enquiry, it was found by the complainant that Anil Kashyap (petitioner in CRM-M-18192-2023) in connivance with Rakesh Poswan (driver - petitioner in CRM-M-18597-2023), Bijender (driver - petitioner in CRM-M-14450-2023), Ranjeet Jha (supply Chain Manager), Mohammad Irfan, Badal (Guard) and Puran Vishwakarma (store in charge - petitioner in CRM-M-18156-2023) had stolen and sold the processed chicken worth ₹40 lakhs.

3.   Necessary investigation was carried out. Statements of witnesses were recorded. Relevant record was collected and Challan under Section 173 Cr.P.C. was filed to prosecute Bijender @ Vijay, Purna Vishwakarma, Anil Kashyap and Rakesh Paswan.

4.   It is submitted on behalf of all the petitioners that case is triable by Magistrate; that they are in custody for the approximately last 6 months; that trial may take time to conclude and so, they be allowed bail.

VIVEK PAHWA
2023.08.04 10:18
I attest to the accuracy and
integrity of this document   Page **2** of **3**

CRM-M-14450-2023   *2 023:PHHC:097996*
CRM-M-18156-2023   *2023: PHHC:097998*
CRM-M-18192-2023   *2023: PHHC:098000*
CRM-M-18597-2023   *2023: PHHC:098002*

5.   Ld. State counsel opposed the bail petitions on the ground that all the petitioners are involved in causing theft of processed chicken worth more than ₹40 lakh and in case they are released on bail, they may try to influence the witnesses. However, it is conceded by ld. State counsel that it is a case of trial by the Magistrate and that there are 17 witnesses cited by the prosecution and none of them have been examined so far.

6.   Petitioners Rakesh Paswan, Puran Vishwakarma and Anil had been arrested on 04.02.2023; whereas, petitioner Bijender was arrested on 06.02.2023. Thus, all the four petitioners are in custody for the period of approximately six months. Trial is likely to take long time, as not even a single witness has been examined so far. The case is triable by Magistrate. No purpose will be served by keeping the petitioners behind bars.

7.   Having regard to the aforesaid facts and circumstances, but without commenting anything further on merits of the case, petitioners are admitted to bail on their furnishing requisite bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

A photocopy of this order be placed on the files of other connected cases.

(DEEPAK GUPTA)
JUDGE

31.07.2023
Vivek

1. Whether speaking/reasoned?   Yes/No
2. Whether reportable?   Yes/No

VIVEK PAHWA
2023.08.04 10:18
I attest to the accuracy and
integrity of this document   Page **3** of **3**