

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.373 OF 2020
(@ out of SLP (Cr1.) No.766/2020)

AKLESH RAI

Appellant(s)

VERSUS

THE STATE OF HARYANA

Respondent(s)

O R D E R

Leave granted.

This appeal challenges the order dated 19.12.2019 passed by the High Court of Punjab and Haryana at Chandigarh in CRM-M No.15201 of 2019.

In connection with crime registered pursuant to FIR No.158 dated 13.03.2018 with P.S. Gharaunda Dist. Karnal, Haryana in respect of offences punishable under Sections 34/380/460/420 IPC, the appellant was arrested on 9.2.2019 and has since then been in custody.

His application preferred under Section 439 Cr.P.C. having being rejected, the present appeal has been filed.

The First Information Report did not directly name the appellant and it was during the course of investigation that the alleged role played by the appellant is stated to have surfaced. According to the FIR, 8 thousand quintals of rice having market

value of approximately Rs. 6 crores was secreted away from the Rice Mill and the appellant is alleged to be the Transporter whose vehicles were used for transporting said rice.

Be that as it may, without going into the merits or demerits of the case, in view of the fact that the appellant has been in custody for more than a year, in our view, he is entitled to the facility of bail.

We order accordingly and direct that the appellant shall be released on bail subject to the satisfaction of the Trial Court, which may impose such conditions as it deems appropriate including that the appellant shall appear on every single date before the Trial Court.

We have been given to understand that the matter has been posted before the Trial Court on 9.3.2020 for considering whether charges could be framed in the matter or not. Needless to say the appellant shall extend cooperation and shall not seek adjournment on any count.

The appeal is allowed in aforesaid terms.

.....J.
(UDAY UMESH LALIT)

.....J.
(VINEET SARAN)

New Delhi
February 28, 2020.

