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

CRM-M-1573-2015

Date of Decision: 29.01.2015

Ravinder Singh @ Raju

....Petitioner

Vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Divjyot S. Sandhu, Advocate
for the petitioner.

Mr. Nikhil K. Chopra, DAG, Punjab
assisted by ASI Dilbag Singh.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Petitioner-Ravinder Singh @ Raju has filed this petition under Section 439 of Code of Criminal Procedure for grant of regular bail in case FIR No.118 dated 23.11.2014 under Section 61-A/63/1/14 Punjab Excise Act, 1914 registered at Police Station Subhanpur, District Kapurthala.

Custody certificate filed, taken on record.

It comes out that this case pertains to recovery of 960 bottles of illicit liquor from the present petitioner. Suffice to say that on 23.11.2014, 960 bottles of illicit liquor has been recovered from the petitioner and he is in custody since then. After his bail was declined by the Ld. Magistrate, petitioner approached the Court of learned Additional Sessions Judge, Kapurthala. The learned Additional Sessions Judge, Kapurthala keeping in

view the heavy quantity of contraband involved in the present case, without commenting upon the merits of the case, took the view that the applicant is not entitled to concession of bail.

I am of the view that heavy quantity itself is not a ground to refuse the bail. It appears that learned Additional Sessions Judge, Kapurthala did not properly appreciate the facts with the result that application for grant of regular bail in Excise matter is coming to the High Court.

In such the circumstances, the application is allowed and petitioner is ordered to be released on bail on his furnishing personal bonds in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Kapurthala.

Accordingly, petition stands allowed.

A copy of this order be sent to learned Sessions Judge, Kapurthala for bringing it to the notice of all the Judicial Officers posted in District Kapurthala for future guidance.

January 29, 2015
Ishant

(KULDIP SINGH)
JUDGE