

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No. M-26769 of 2016

Date of Decision: 16.08.2016

Gurjeet Singh & another

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Anupam Singla, Advocate
for the petitioners.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.102 dated 16.6.2016 under Section 61 of the Excise Act registered at Police Station Civil Lines, Bathinda.

Learned counsel for the petitioner contends that the petitioners were employed as driver and conductor on the alleged vehicle i.e. Pickup Bolero No.PB-10H-7915 and Bharpur Singh being the owner of the said vehicle, was the employer of the petitioners. He further submits that the petitioners were not aware of the fact whether the liquor was being transported under a valid licence or otherwise.

Learned State counsel, on instructions from ASI Kashmir Singh, states that about 200 boxes of country made liquor were recovered from the said vehicle, which were taken into possession vide separate memo.

I have heard learned counsel for the parties.

The fact whether the alleged quantity of liquor was being transported by the petitioners, who are driver and conductor, without licence or otherwise, is the subject matter of trial. However, since the trial is yet to begin, the petitioners are admitted on regular bail subject to furnishing of their bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Bathinda.

The petition is disposed of.

It is made clear that expression made hereinabove shall not be construed as any opinion on the merits of the case.

August 16, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No