

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

CRM-M-35099-2016 (O&M)
Date of decision : 07.10.2016

Karan Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Tapan Yadav, Advocate,
for Mr. Mohit Nehra, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana,
assisted by ASI Suresh Kumar.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in FIR No.128 dated 31.07.2016, registered under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code and Sections 61 of the Excise Act, at P.S. Loharu, Distt. Bhiwani.

Learned counsel contends that the petitioner is a salesman at the liquor vend owned by co-accused Dharmender. The petitioner has nothing to do with the manufacturing or transporting of the liquor in question to the liquor vend. He is not involved in any other FIR.

On the other hand, learned State counsel, on instructions, states that the liquor in question is spurious, which was case property in FIR No.240 dated 28.11.2015 under Section 61 of the Excise Act, registered at P.S. Loharu. He further submits that co-accused Dharmender is yet to be

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arrested. Challan qua present petitioner stands presented and out of ten prosecution witnesses, none has been examined so far.

Heard.

The petitioner is in custody since 31.07.2016. He is not involved in any other FIR. The petitioner is the employee of co-accused Dharmender, who is still to be arrested. Challan qua the petitioner has been presented and out of ten prosecution witnesses, none has been examined so far, therefore, it can safely be inferred that the trial is not likely to be concluded in the near future.

In view of the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

However, nothing noticed hereinabove shall be construed as an expression of opinion of this Court, on the merits of the case.

07.10.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No