

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

CRM-M No.37292 of 2016

Date of decision: 25th October, 2016

Joginder Singh @ Ginda

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. P.S. Sekhon, Advocate for the petitioner.

Mr. J.S. Brar, Asstt. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Joginder Singh @ Ginda in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.120 dated 16.09.2016 registered at Police Station City Dhuri, District Sangrur under Section 61(1)(14) of the Punjab Excise Act, are that on 16.09.2016, 240 bottles of country-made liquor 'Malta' brand were recovered from his conscious possession.

Contentions of the learned counsel for the petitioner are that the petitioner is in custody since long time and that the investigation and trial are not likely to conclude in near future and that question of being in conscious possession is a debatable issue.

The factual scenario could not be displaced by learned State counsel who has conceded at bar that the recovery has been effected from a car and that the culpability if any, shall be determined at the trial.

In the light of submissions made by learned counsel for the petitioner and the fact that the trial will take a long time to conclude, this Court is of the opinion that further detention of the petitioner in the present case is unwarranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Sangrur.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

October 25, 2016

rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No