

**Sr. No. 222
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No. M- 39282 of 2015 (O&M)

Date of Decision: 31.03.2016

Mahender Kumar

..Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. P.K.Ganga, Advocate,
for the petitioner.

Mr. Vivek Saini, DAG, Haryana.

TEJINDER SINGH DHINDSA. J (ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.246 dated 22.07.2015, under Sections 420/468 of Indian Penal Code and 61/63/63A/1/14 of Excise Act and Section 65 of the Copyright Act, registered at Police Station Sadar Dabwali, District Sirsa.

It has gone uncontroverted that the petitioner was not apprehended on the spot and rather is sought to be implicated on the disclosure statements of co-accused Mukh Ram @ Kalu and Sukhwinder Singh @ Midha.

The prayer for regular bail is opposed by learned State counsel on the ground that recovery of huge quantity of spirit and packing material was recovered and during the course of investigation, it has surfaced that the premises were taken on lease by the present petitioner.

Be that as it may, petitioner has suffered incarceration

since 07.10.2015. Investigation in the present case has been completed and even challan was presented on 02.01.2016. Charges are yet to be framed.

Offences cited are triable by the Court of Magistrate.

Co-accused Mukh Ram @ Kalu and Sukhwinder Singh @ Midha have been granted the benefit of regular bail by this Court in the light of order dated 23.09.2015 in CRM No.M-30704 of 2015.

Without making any observations on merits and in the totality of circumstances, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Sirsa.

Disposed of.

31.03.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**