

CRM-M-35124-2017 (O&M)

Date of decision: 25.09.2017

Balwinder Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sandeep Arora, Advocate, for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.104 dated 02.08.2017, under Sections 420, 467, 468, 471, 482 IPC and under Section 61/1/14 Excise Act, registered at Police Station Lambra, District Jalandhar.

Learned counsel for the petitioners submits that as per version given in the FIR, the petitioners were apprehended by the police along with 150 bottles of liquor and it was alleged that a fake number plate was fixed on the car in which the petitioners were travelling. It is further submitted that the offences under Section 61 Excise Act are bailable offences. He further submits that the petitioners are in judicial custody for the last 01 month and 21 days and is not involved in any other case. It is also submitted that the offences are triable by the Court of Magistrate and the case will take long time to mature of hearing.

Learned counsel for the State, on instructions from ASI Niranjan Singh, has not disputed the factual assertion but opposed the bail on the ground that heavy recovery of liquor was made from the petitioners.

Without commenting on the merits of the case, the present petition is allowed. Petitioners be enlarged on regular bail subject to their furnishing bail / surety bonds to the satisfaction of the Chief Judicial Magistrate, concerned.

**(ARVIND SINGH SANGWAN)
JUDGE**

25.09.2017

Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No