

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

CRL. MISC. No.M-35491 OF 2017
DATE OF DECISION : 27th SEPTEMBER, 2017

Avtar Singh @ Tari

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Jagjit Singh, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. D.A.G. Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.35 dated 04.02.2001 registered under Sections 61, 1, 14 of Excise Act at Police Station Nakodar, District Jalandhar.

Heard learned counsel for the rival parties.

Indeed the petitioner is guilty of obstructing the course of justice namely the trial for over a period of 15 years by remaining at large unauthorizedly. But then learned counsel for the petitioner states that he has gone abroad to earn his livelihood that is why he could not attend the trial.

The petitioner was arrested on 06.05.2017 and is in jail since then. The allegation against the petitioner is that he was found in

possession of 40 bottles of country made liquor. No other case is reported against the petitioner.

In that view of the matter, there is no point in detaining the petitioner in jail as under trial since the sentence i.e. awarded to him is six months and the petitioner has already undergone imprisonment of four months and twenty one days. In the result, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-35491 OF 2017 is allowed.
- (ii) The petitioner is ordered to be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.

27th SEPTEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>