

CRM-M-37962 of 2017

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

CRM-M-37962 of 2017
Date of Decision: 13.10.2017

Sukhwinder Singh @ Neeta

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. G.S. Sandhu, Advocate, for the petitioner.
Ms. Bhavna Gupta, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 439 Cr.P.C. has been made for grant of regular bail to petitioner – Sukhwinder Singh @ Neeta – in a case arising from FIR No.249 dated 11.09.2017 under Sections 61/1/14 of the Punjab Excise Act, 1914 registered at Police Station Nathana, District Bathinda.

According to prosecution, on secret information, one Innova car bearing registration No.PB-11-CE-7979 was apprehended carrying 21 boxes of liquor containing 12 bottles each. The petitioner succeeded in fleeing away from the spot. However, on interrogation owner of the aforesaid Innova car revealed that the petitioner had taken his car without permission. It also came in the investigation that prior to effecting recovery of 21 boxes, petitioner had already offloaded 09 boxes of liquor from the Innova car and delivered the same to co-accused Goga and Johny, who are yet to be arrested.

Learned counsel for the petitioner contends that the petitioner was

not apprehended at the spot rather was arrested next day. He has been

CRM-M-37962 of 2017

falsely implicated. The offence is triable by the Magistrate. No recovery is to be effected from the petitioner. No useful purpose would be served by detaining the petitioner in jail.

On the other hand, learned State counsel vehemently opposed the prayer for grant of regular bail.

Considering over-all facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail, on his furnishing bail bonds and surety bonds, to the satisfaction of Trial Court/Duty Magistrate concerned.

October 13, 2017
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No