

Sr. No.227

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

CRM No. M-10185 of 2018 (O&M)

Date of Decision: 04.04.2018

Rajesh Kumar and another

... Petitioners

Versus

State of Punjab

... Respondent

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

Present:- Mr. Peeush Gagneja, Advocate,
for the petitioners.

Mr. S.S.Sandhu, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioners seek concession of regular bail pending investigation in case FIR No.06 dated 05.02.2018, under Section 61/1/14 of Excise Act, registered at Police Station City-II, Abohar, District Fazilka.

As per prosecution version, an alleged recovery of 240 bottles of country made liquor was effected from the petitioners.

Petitioners were arrested on 05.02.2018.

Even though matter is still under investigation yet no further recovery is to be effected from the petitioners.

State counsel has informed the Court that there are two other FIRs against petitioner No.1 under the Excise Act. It stands conceded that he has already been granted concession of bail in both the matters.

In the considered view of the Court, no useful purpose

would be served by keeping the petitioners confined till the conclusion of the investigation.

Such view is being taken as it is not the case made out on behalf of the State that the petitioners if released on bail would be in a position to hamper the course of a free and fair investigation.

Without making any observations on merits, Petitioners are held entitled to the benefit of bail.

Petition is allowed. Petitioners be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

Disposed of.

04.04.2018

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No