

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-20110 of 2018
Date of Decision: 16.05.2018

Deep Ghuman and another

....Petitioners

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. J.S. Moudgill, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioners in case FIR No.69 dated 28.04.2018 registered for the offence punishable under Section 61 of Excise Act, at Police Station Dirba, District Sangrur.

Heard.

Notice of motion.

On asking of the court, Ms. Monika Jalota, DAG, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

Instant FIR was registered against petitioners with allegations that on 28.04.2018, ASI Bikramjit Singh alongwith his police party apprehended Innova car in which both the petitioners were travelling and recovered 300 bottles of liquor brand “Club Malta” and 300 bottles of liquor brand “Malta”. Recovery from petitioners has already been effected.

Learned State counsel submits that the matter is still under

investigation and report of chemical examiner is awaited.

Keeping in view above facts and that completion of investigation, presentation of challan and then conclusion of trial will take considerably long time, the present petition is allowed. Petitioners, namely, Deep Ghuman and Varinder Singh @ Pappi are ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) Petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to petitioners shall stand withdrawn. The trial Court shall be competent to cancel their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality petitioners shall have to apply for bail afresh.
- (c) They shall not leave the country without the previous permission of the Court.

May 16, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No