

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM-M No. 2549 of 2018
Date of decision : January 29, 2018

Ashok Kumar Mehra

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vikram Singh, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG., Haryana.

ARVIND SINGH SANGWAN, J (oral).

Prayer in this petition is for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No. 896 dated 23.10.2017 for offences under Section 420,468,471 of IPC & Section 61/1/14 of the Excise Act registered at Police Station Civil Lines, Karnal, District Karnal.

Counsel for the petitioner has submitted that petitioner is in custody since 24.10.2017 and co-accused of the petitioner namely Nitin and Santosh Kumar have already been granted the concession of bail vide order dated 17.1.2018 passed in CRM-M-47451 of 2017. It is further submitted that the challan has already been presented and the offences are triable by the Court of Magistrate and conclusion of the trial is likely to take some time.

Learned State counsel on instructions from ASI Singh Raj has not disputed the factual position but opposed the prayer for bail on the

ground that the petitioner was found in possession of liquor without any permit.

Without commenting anything on merits of the case and considering the fact that the petitioner is in custody since 24.10.2017; co-accused of the petitioner namely Nitin and Santosh Kumar have already been granted concession of regular bail; he is not required for any further investigation and conclusion of trial is likely to take some time, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail/surety bond to the satisfaction of the trial court/Illaqa Magistrate./Duty Magistrate. However, it will be open for the prosecution to apply for cancellation of bail, if the petitioners are found involved misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

January 29, 2018
archana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No