

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-25669 of 2018
Date of Decision: 19.06.2018

Hardev Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vikas Bali, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.440 dated 25.12.2017 registered for offences punishable under Sections 61 of Excise Act; 420/465/468/471 of Indian Penal Code (for short, "IPC") and 103/104 of Trade Mark Act, at Police Station Zirakpur, District SAS Nagar.

Heard.

The petitioner was arrested in this case on 26.12.2017 alongwith co-accused, namely, Ajay Grover and Mandeep Singh. As per case of prosecution, petitioner and his co-accused had set up a factory of spurious liquor of different brands. On raid spurious liquor of various brands was recovered from them alongwith machinery set up in a godown which was installed for this purpose.

Learned counsel for the petitioner submits that co-accused, namely, Ajay Grover and Mandeep Singh, with similar allegations have also

been allowed regular bail in this case. Challan has been presented and conclusion of trial will take considerably long time and prays that petitioner may be allowed regular bail on the ground of parity with co-accused.

Learned State counsel submits that challan in this case has been presented and prosecution has yet to examine its witnesses.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Hardev Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

June 19, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No