

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

CRM-M No. 275 of 2018
DATE OF DECISION :- March 15, 2018

Rinku Singh **...Petitioner**

Versus

State of Punjab **...Respondent**

CRM-M No. 1823 of 2018

Sarabjit Singh @ Luchi **...Petitioner**

Versus

State of Punjab **...Respondent**

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Rajbir Singh, Advocate for the petitioner(s).

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

Custody certificate of petitioner Sarabjit Singh @ Luchi filed.

My this order shall dispose of two petitions for grant of regular bail i.e. CRM-M No. 275 of 2018 filed by Rinku Singh and CRM-M No. 1823 of 2018 filed by Sarabjit Singh @ Luchi, both of them being accused in F.I.R. No. 62 dated 11.7.2017 for offence under Section 61 of Punjab Excise Act registered with Police Station City Kot Dharmu, District Mansa.

Briefly stated the facts of the case as per the prosecution story are that on 11.7.2017, a police party from Police Station Kot Dharmu while being on official duties present at bridge canal minor received a secret

information that Baljinder Singh Set son of Atma Singh, Harmesh Singh Messi son of Balvir Singh, Sarabjit Singh @ Luchi son of Mithu Singh and Rinku Singh son of Paramjit Singh, all residents of Jawaharke, Kot Dharmu, Mansa are in the habit of selling of country-made liquor made in Haryana selling in Punjab and on that day they brought country made liquor in Haryana for the purpose of selling and kept it at the house of Sarabjit Singh @ Luchi.

Accordingly, raid was conducted and Baljinder Singh was arrested at the spot, whereas Rinku Singh and Sarabjit Singh @ Luchi had managed to run away. 120 bottles of liquor were recovered meant for selling in Punjab. Accused Rinku Singh was arrested in this case on 07.11.2017, whereas accused Sarabjit Singh @ Luchi was arrested on 22.11.2017.

Petitioners have approached the Courts below for grant of regular bail but such plea was rejected, as such they have knocked at the door of this Court for similar relief by filing the present petitions. Notice of which was given to the State.

Learned State counsel is opposing the petitions for regular bail.

I have heard learned counsel for the petitioner(s), learned State counsel besides going through the record.

Admittedly, the petitioners were not arrested at the spot. No recovery had been effected from them. The challan has not yet been filed and investigation is going on.

Therefore, without going into the merits of the case, it is observed that petitioners are behind bars for more than three months, filing

of the challan and conclusion of the trial is likely to take some time. I find that it would be in fitness of things if the present petitions are allowed. Petitioners Rinku Singh and Sarabjit Singh@ Luchi are ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Mansa subject to the following conditions : -

- (i) they shall appear in the Court on each and every date of hearing.
- (ii) they shall not give any threat or intimidation to the prosecution witnesses.
- (iii) they shall not leave India without prior permission of the Court and shall surrender their Passports, if they have got ones otherwise to furnish affidavits in that regard.

In addition to that the trial Court may impose any term and condition found suitable to ensure that the petitioners do not abscond and interfere in the trial.

In case the petitioners violates any term and condition on which the bail has been granted to them, the order shall be liable to be withdrawn.

(H.S. MADAAN)
JUDGE

March 15, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No