

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

**CRM-M No.36514 of 2018 (O&M)
Decided on: 28.08.2018**

Faqir Chand

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Tarun Singla, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.145 dated 18.06.2018, for offence punishable under Section 61 of the Punjab Excise Act, registered at Police Station Raman, District Bathinda.

Counsel for the petitioner has submitted that as per the allegation in the FIR, 1200 bottles of liquor, which was meant for sale in the State of Haryana, were recovered without any licence or permit. It is further submitted that the petitioner is not involved in any other case and he is in custody since 18.06.2018. It is further argued that conclusion of the trial will take long time and the petitioner is no more required for any further custodial interrogation.

Counsel for the State, on instructions from HC Makhan Singh, has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is not involved in any other case; the petitioner is in custody for the last more than 02 months and conclusion of the trial will take some time, this petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/ surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

28.08.2018
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No