

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

CRM-M-47758-2018

Date of decision: November 02, 2018

Baldev Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Kushagra Mahajan, Advocate
for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

RAJ SHEKHAR ATTRI, J.(ORAL)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioner-Baldev Singh, in case FIR No.96 dated 30.08.2018 registered for the offences punishable under Sections 61(1) of Punjab Excise Act, 1914 and Sections 420, 120-B of the Indian Penal Code, 1860 (for short 'IPC') at Police Station Maqboolpura, Amritsar.

Heard.

It is submitted that the alleged recovery of 391 boxes of liquor has been effected from the petitioner who was driver of truck No.PB-02-CC-7188. He is in custody for the last more than two months. No useful purpose will be served by keeping him in custody any further.

Without expressing any opinion on merits of the case and the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Chief

Judicial Magistrate/Duty Magistrate, concerned 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

(RAJ SHEKHAR ATTRI)
JUDGE

November 02, 2018
m. sharma

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