

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-51319 of 2018

Date of Decision: 28.11.2018

Harjinder Singh @ Kuldeep Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Suresh Singla, Advocate
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.277 dated 05.10.2018 under Section 61 of the Punjab Excise Act, 1914 registered at Police Station Talwandi Sabo, District Bathinda.

Learned counsel for the petitioner contends that the alleged recovery effected from the petitioner is 2400 bottles of liquor meant for sale in the State of Haryana. However, the petitioner is in custody since 05.10.2018. There is no other case pending against the petitioner.

Learned State counsel, on instructions from ASI Balbir Singh, has argued that considering the huge quantity i.e. 200 boxes of liquor recovered from the petitioner, he is not entitled for bail.

Having heard learned counsel for the parties and considering the fact that the petitioner is in custody for about two months and there is no other case pending against him, coupled with the fact that conclusion of trial shall take sufficient long time and no useful purpose will be served to keep the petitioner in custody, I deem it appropriate to release him on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of the trial Court.

However, it is made clear that in case the petitioner is found indulged in any other case under the Excise Act, the prosecution shall be at liberty to seek cancellation of his bail.

November 28, 2018
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No