

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-3055-2019 (O&M)
Date of Decision:- 29.1.2019

Gursewak Singh @ Sewak ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. H.S. Jalal, Advocate for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

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GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioner seeks grant of regular bail in respect of a case registered vide FIR No.116 dated 5.12.2018 at Police Station S.G.N. Dev Thermal Plant, District Bathinda under Sections 61 and 78 of Punjab Excise Act, 1914.

The case of the prosecution, in nutshell, is that on 5.12.2018, when a police party headed by Head Constable Kulwinder Singh was present in the area of T-point of Bathinda-Malout Road, then one pick up vehicle bearing registration No.PB-08CB-6772 was apprehended, which was being driven by Gursewak Singh @ Sewak (petitioner), who was accompanied by another person namely Baljit Singh @ Beti. A search of the said vehicle yielded recovery of 40 boxes of liquor (made in Haryana).

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that in any case

the co-accused Baljit Singh @ Beti has already been granted bail and that in these circumstances, the petitioner deserves the concession of bail on grounds of parity as well. The learned counsel has submitted that the petitioner has been behind bars since last about two months.

Opposing the petition, the learned State counsel has submitted that in view of the huge recovery of Haryana made liquor, no case for grant of bail is made out.

Having considered rival submissions addressed before this Court and bearing in mind the nature of allegations and also that the co-accused, who is identically situated, has already been granted bail and that in any case the petitioner has been behind bars since the last more than two months, in my opinion, no useful purpose will be served by detaining the petitioner behind bars any further. The petition, as such, is accepted. The petitioner Gursewak Singh @ Sewak is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

This present petition stands accepted accordingly.

29.1.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No