

214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3541-2019 (O&M)

Date of decision:30.01.2019

Jaspal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Jitender Singh Dadwal, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

RAJBIR SEHRAWAT, J. (ORAL)

Prayer in this petition filed under Section 439 of Cr.P.C. is for grant of bail pending trial in case FIR No.206 dated 28.12.2018 under Section 61 of Punjab Excise Act 1914, registered at Police Station Goraya, District Jalandhar Rural.

Learned counsel for the petitioner contends that the case against the petitioner is concocted. The petitioner is not involved in any such illegal trade of liquor as is alleged against him. It is further contended that even as per the case of prosecution, no recovery was effected from the petitioner. The police alleges to have recovered 540 boxes of illicit liquor from canter. However, the petitioner is not the owner of that canter. Still further, it is contended that, in any case, the recovery has already been effected. The petitioner is not required for any investigation purposes. Hence, no purpose would be served by keeping the petitioner in custody. There is no other case against the petitioner.

On the other hand, learned State counsel submits that there is heavy recovery of illicit liquor from the petitioner. However, it is not disputed that there is no other case against the petitioner.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

30.01.2019
Hemlata

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