

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

CRM-M-5563-2019

Date of Decision:08.03.2019

Shind Pal and others

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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

Mr. K.S. Aulakh, D.A.G. Punjab.

RAJBIR SEHRAWAT, J. (Oral)

Through this petition, the petitioners have sought bail pending trial in case FIR No.206 dated 28.12.2018 registered under Section 61 of Punjab Excise Act, 1914 at Police Station Goraya, District Jalandhar (Rural).

Learned counsel for the petitioners submits that the petitioners have been wrongly involved in this case. Even as per the story put-forth by the police, the alleged consignment of illicit liquor was being carried in a Canter. The petitioners are alleged to be only sitting in the Verna Car moving alongwith the said Canter. It is further submitted that the petitioners have no concern with the alleged Canter. They are neither the owner of the same nor are they alleged to have hired the same from the owner. It is further submitted that there is no other case against the petitioners. The petitioners are in custody since 28.12.2018. Challan has already been filed. The petitioners are not required for any investigation purposes.

On the other hand, learned State counsel, being instructed by

HC Jaswinder Singh, submits that there is a huge recovery of 6480 bottles

of liquor from the Canter. Therefore, the petitioners do not deserve any concession of bail. However, it is not disputed that there is no other case against the petitioners. The petitioners are in custody since 28.12.2018 and that challan has already been filed in this case.

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

08.03.2019
rajeev

(RAJBIR SEHRAWAT)
JUDGE

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