

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

222

CRM-M-18460-2019 (O & M)
Date of Decision:30.04.2019

Palwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Naveen Sharma, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

MANOJ BAJAJ, J.(ORAL)

Petitioner-Palwinder Singh has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.34 dated 22.02.2019, under Section 61 of the Excise Act, registered at Police Station Phase-11, District SAS Nagar Mohali.

As per the prosecution case, FIR was registered on the basis of secret information received on 22.02.2019 by the police party that Palwinder Singh (petitioner) is coming towards Punjab in a truck bearing registration No.PB-12-H-9536 after loading liquor meant for sale in Chandigarh in huge quantity. In case checking is done of that truck then Palwinder Singh can be nabbed along with liquor.

Learned counsel for the petitioner contends that the investigation of the case is complete and challan stands filed before the Court. The offence is triable by the Magistrate and the petitioner is in custody since his arrest on 22.02.2019. He further contends that petitioner is

quite innocent as he has been falsely implicated in the case.

On the other hand, the bail application is opposed by the learned State counsel on instructions from ASI Joginder on the ground that the heavy recovery has been effected from the petitioner.

Considering the above background and the fact that the offence is triable by the Magistrate, which is likely to consume considerable time, further detention of the petitioner may not be justifiable. Therefore, without meaning any expression on the merits of the case, the petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

30.04.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No