

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

218

CRM-M-19192-2019 (O & M)
Date of Decision:21.05.2019

Vinod Kumar @ Billa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sandeep Arora, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ, J.(ORAL)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.274 dated 27.11.2017, under Sections 323/324/295-A/326 IPC and Section 61 of Excise Act, registered at Police Station Sadar, Jalandhar.

The prosecution case is that the police party headed by ASI Sarabjit Singh who was present at village Kadian crossing, received a secret information that Balbir Kumar @ Kala, who was habitual in selling liquor and against whom already cases of liquor were registered had stored huge quantity of illicit liquor in his house and upon raid, he can be apprehended with huge quantity of liquor. Then the police party reached outside the

house of Balbir Kumar @ Kala where Balbir Kumar @ Kala, Vinod Kumar alias Billa (petitioner) and Ramesh Kumar @ Gogi were fighting with Santokh Singh and Roop Lal and giving beatings. During this fight, Vinod Kumar @ Billa (petitioner) put off the turban of Santokh Singh and on seeing the police party ran away from the spot.

Learned counsel for the petitioner contends that initially the petitioner was granted the concession of interim pre-arrest bail, however, he could not join the investigation. The petitioner was arrested in this case on 12.03.2019 and presently he is confined in judicial custody. According to him, recovery of liquor already stands effected. It is pointed out that the other co-accused have already been granted bail.

On the other hand, learned State counsel assisted by ASI Satnam Singh has opposed the bail application. However, it is not disputed that the co-accused of petitioner have already been granted bail.

Considering the above background and the fact that the co-accused have already been granted bail, further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner 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.

21.05.2019

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(MANOJ BAJAJ)
JUDGE

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