

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

**CRM-M No. 28443 of 2019
Date of Decision:-11.07.2019**

Shankar Lal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Manoj K. Tanwar, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana assisted by ASI Hari
Parkash.

MANOJ BAJAJ J.(Oral)

Petitioner Shankar Lal has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.246 dated 22.5.2019, under Sections 420, 467, 468, 471 and 120-B IPC as well as under Sections 1, 14 and 61 of Punjab Excise Act, 1914, registered at Police Station Mahendergarh, District Mahendergarh.

As per FIR, on 22.5.2019 the police party on the basis of a secret information had set up Nakabandi and stopped the truck/canter bearing registration No.RJ-14GD-4171, which was coming from Dadri side. On checking the vehicle, huge quantity of illicit liquor (1025 cartons) was recovered.

Learned counsel for the petitioner contends that as per the prosecution, the liquor boxes were recovered from the truck/canter, which was being driven by the petitioner. He contends that offence of cheating was added on the ground that bilty papers were for wheat, whereas the vehicle contained liquor. He submits that there is nothing to suggest the commission of offence of cheating and forgery. According to him the petitioner is in judicial custody since 22.5.2019 and qua him the investigation is complete.

On the other hand, the prayer is opposed by learned State counsel, who is assisted by ASI Hari Parkash on the ground that the owner of the truck is yet to be arrested and the bilty papers carried by the petitioner were regarding wheat, whereas, actually in the truck, illicit liquor was being transported. However, he does not dispute the fact that as far as petitioner is concerned, the investigation qua him is almost complete.

Considering the nature of the offence and custody of the petitioner, this Court does not find any valid reason for further detention of the petitioner in judicial custody. Resultantly, 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 the requisite bail bonds and surety bonds to the satisfaction of the trial Court.

The petition is allowed.

July 11, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No