

CRM-M-35619-2019 (O&M)

Date of decision:13.09.2019

Gurjant Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Mr.K.S.Aulakh, DAG, 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.218 dated 27.07.2019 under Section 61 of the Punjab Excise Act, registered at Police Station Bhawanigarh, District Sangrur.

Learned counsel for the petitioner contends that the case against the petitioner is totally concocted. It is further contended that even as per the case of the prosecution, the alleged recovery from the petitioner is of 480 bottles of country made liquor from the Innova Car. However, neither the petitioner is owner of the Innova Car nor he was found at the spot at the time of the alleged recovery. The petitioner is in custody since 05.08.2019. Therefore, the petitioner is not required for any investigation purpose. The trial shall take a long time.

On the other hand, learned State counsel, on instructions, submits that the huge recovery of liquor has been recovered from the petitioner. However, it is not denied that the car does not belong to the petitioner. It is also not disputed that the petitioner was not arrested at the

spot.

In view the above submissions made by counsel for the petitioner, 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

13.09.2019
Hemlata

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