

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-39915-2019 (O&M)
Date of decision: 08.11.2019

Sanjay Kumar

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Amardeep Saini, Advocate, Advocate for
Mr. Sanjay Verma, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.222 dated 25.05.2019 under Sections 420, 467, 468, 471, 120-B IPC and Section 61 (1) of Punjab Excise Act, 1914, registered at Police Station Sadar Thanesar, District Kurukshetra.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of ASI Subhash Chand, when he was on patrol duty along with co-officials, he received a secret information that Sanjay, who is driving the Canter bearing registration No.HR-56-6629, is involved in the business of selling illegal liquor and is coming towards Pipli with a loaded truck. Thereafter, the canter was noticed and the same was stopped and driver of the vehicle informed his name as Sanjay @ Sanju son of Prithvi Singh,

whereas the cleaner informed his name to be Sanjay Kumar son of Krishan Kumar i.e. the petitioner. From the truck, 900 boxes of liquor were recovered and finding that the same were transported on the basis of some fake documents, the FIR was registered. It is further submitted that the petitioner is in custody since 25.05.2019; he is not involved in any other case; he was not driver of the canter; challan stands presented; offences are triable by the Court of Magistrate; his co-accused have already been granted the concession of bail.

Learned State counsel, on instructions from ASI Prem Chand, has not disputed the factual position.

Without commenting anything on merits of the case, considering the fact that offences are triable by the Court of Magistrate; the petitioner is in custody for the last more than 05 months and is not involved in any other case, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

08.11.2019

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No